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EXECUTIVE ORDERS

RELATING TO

THE PANAMA CANAL

(March 8, 1904, to December 31, 1921)



ANNOTATED

1921

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THE PANAMA CANAL PRESS

MOUNT HOPE, C. Z.

1922

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Compiled and Annotated
by
J. J. McGUIGAN,
Under direction of the Governor,
The Panama Canal,
1921.

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INTRODUCTION.

The present annotated volume of "Executive Orders Relating to The Panama Canal" is a compilation of all Executive Orders contained in the original volume of Executive Orders published in 1911 and supplements 1, 2, and 3, to that volume, together with all orders relating to the Canal issued since the publication of Supplement Number 3 of June 30, 1915. They cover the period March 8, 1904, to December 31, 1921.

Notations under the several orders indicate important changes by later orders as to designations of courts, officials, etc., but such notes have not been repeated at every mention of such courts and officials, and the following references are given for general guidance:

The designation of "Prosecuting Attorney" will apply to the District Attorney created by the Panama Canal Act of August 24, 1912.

Wherever the municipal courts or judges thereof are referred to in orders issued prior to the Executive Order of March 13, 1907, the same shall apply to the district courts and judges thereof created by that order; and, as well, references in orders to the preceding municipal courts and district courts or judges thereof, shall apply to the magistrate courts and magistrates created by the Panama Canal Act, agreeably to the provisions of section 7 of that act.

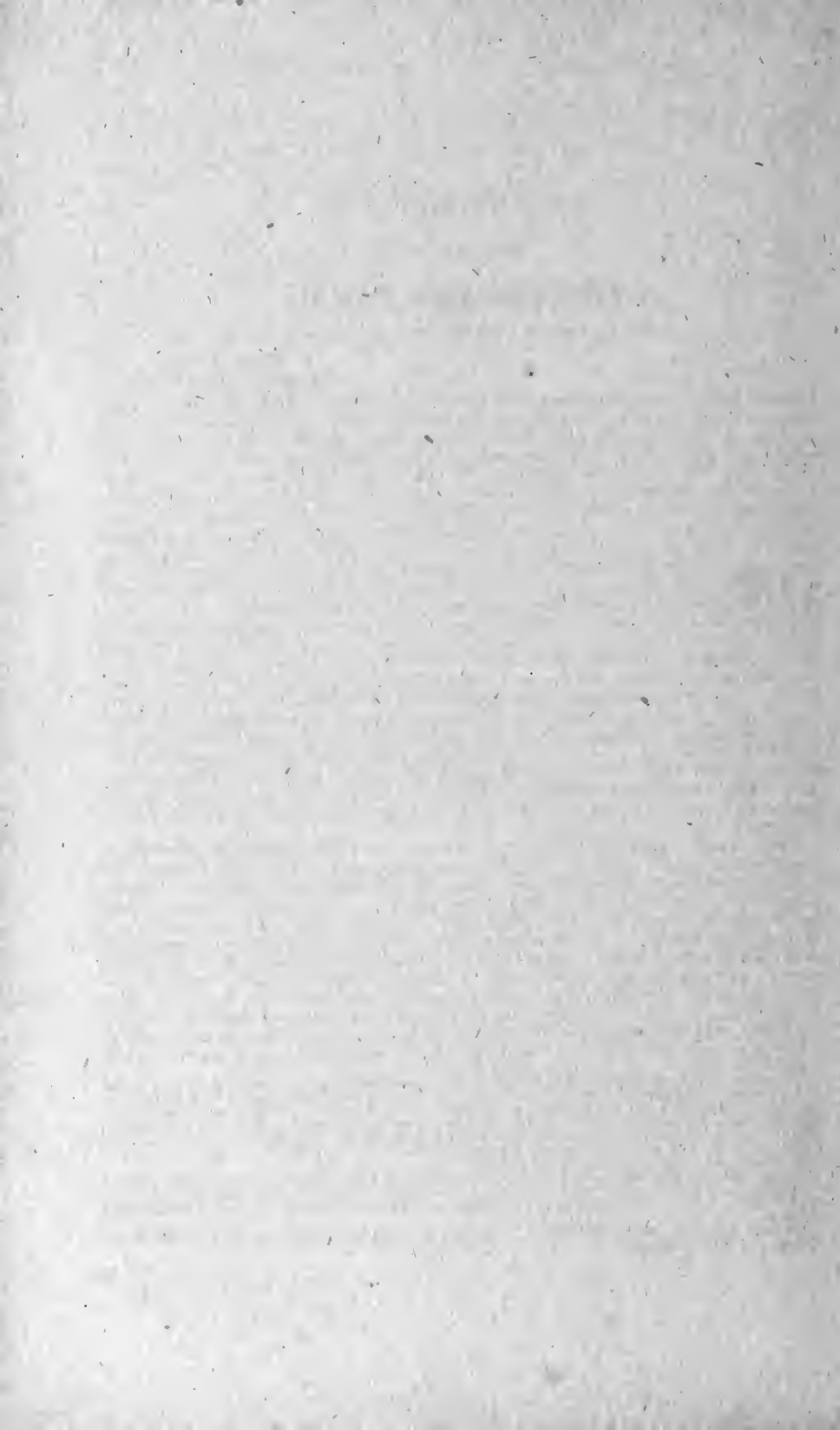
Wherever the Supreme Court and circuit courts or judges thereof, are referred to in orders in effect prior to April 1, 1914, the same shall apply to the District Court and judge thereof created by the Panama Canal Act, conformably to the jurisdiction outlined in section 8 of that act.

In considering references to the powers and duties of the Governor of the Canal Zone under early orders, it should be remembered that by Executive Order of April 2, 1907, the powers of the Governor or Chief Executive of the Canal Zone were vested in the Chairman of the Isthmian Canal Commission. See also provisions of the Panama Canal Act for a Governor of The Panama Canal.

All page number references in footnotes are to this volume, unless otherwise indicated.

This volume will be issued in conjunction with separate annotated volumes of the "Laws of the Canal Zone" and "Treaties and Acts of Congress Relating to The Panama Canal."

The following abbreviations are used in footnote references: "T. & A. 205," to indicate reference to page 205 of the volume of Treaties and Acts of Congress; "L. C. Z. 140" to indicate reference to page 140 of the volume of Laws of the Canal Zone; "2 C. Z. Rept. 123" to indicate reference to page 123 of volume 2 of the Reports of the Supreme Court of the Canal Zone. Where the Executive Orders relating to the Panama Canal are referred to in other volumes, the abbreviation used will be: "E. O. 260."



EXECUTIVE ORDERS
RELATING TO
THE PANAMA CANAL

Letter of the President, Mar. 8, 1904, relative to duties of Commission.

WHITE HOUSE,
Washington, March 8, 1904.

SIRS: I have appointed you as the Commission¹ which is to undertake the most important and also the most formidable engineering feat that has hitherto been attempted. You are to do a work the doing of which, if well done, will reflect high honor upon this nation, and, when done, will be of incalculable benefit, not only to this nation, but to civilized mankind. As you yourselves must individually know, I have chosen you with reference to nothing save my belief, after full and patient inquiry, that you are among all the available men of whom I have knowledge, those best fitted to bring this great task to a successful conclusion. You have been chosen purely because of your personal and professional reputations for integrity and ability. You represent the whole country. You represent neither section nor party. I have not sought to find out the politics of a single one of you, and, indeed, as to the majority of you I have not the slightest idea what your political affiliations are.

I believe that each one of you will serve not merely with entire fidelity, but with the utmost efficiency. If at any time I feel that any one of you is not rendering the best service which it is possible to procure, I shall feel called upon to disregard alike my feelings for the man and the man's own feelings, and forthwith to substitute for him on the Commission some other man whom I deem capable of rendering better service. Moreover, I shall expect, if at any time any one of you feels that the work is too exhausting and engrossing for him to do in the best possible manner, that he will of his own accord so inform me, in order that I may replace him by some man who, to the requisite ability, joins the will and the strength to give all the effort needed. But so long as you render efficient service of the highest type in the work you are appointed to perform, you may rest assured of my hearty support and backing in every way.

These are the conditions under which you have been appointed, and under which I shall expect you to proceed. I shall furthermore expect you to apply precisely the same principles in the choice and retention of the subordinates who do the work under you as I have applied in your choice and shall apply in your retention. I shall expect you to appoint no man for reasons other than your belief in the aid he can render you in digging the canal. If, having appointed any man, you find that your expectations about him are not fulfilled, or that from any reason he falls short of his duty, I shall expect you to dismiss him out of hand; I shall expect that under such circumstances you will pay not the slightest heed to any backing or influence the man may have. I assume as a matter of course that in dealing with contractors you will act on precisely the principles which would apply in any great private business undertaking. There is no man among you to whom I think it is necessary to say a word as to the

¹ Isthmian Canal Commission created by sec. 7, act of Congress of June 18, 1902 (T. & A. 28); placed under the jurisdiction and direction of the Secretary of War by Executive Order of May 9, 1904, p. 20. The Commission was reorganized by Executive Order of April 1, 1905, p. 35, which in turn was superseded by Executive Order of Nov. 17, 1906, p. 55. Later, by Executive Order of Apr. 2, 1907, p. 65, the powers of the Governor or Chief Executive of the Canal Zone were vested in the Chairman of the Commission, and under Executive Order of Jan. 6, 1908, p. 72, the powers of the Commission and its Chairman were newly defined.

Under authority contained in sec. 4 of the Panama Canal Act (T. & A. 79), the Isthmian Canal Commission, together with the existing organization, was discontinued by Executive Order of Jan. 27, 1914, effective Apr. 1, 1914, which order also established the permanent organization of The Panama Canal (p. 157).

See Executive Order of May 9, 1904, p. 20, defining in detail the jurisdiction and functions of the Isthmian Canal Commission.

standard of honesty to be exacted from every employee or contractor, for if I had had the slightest ground for suspicion that there was need to say such a word to any one of you I should not have appointed him. But I do wish to emphasize the need of unceasing vigilance in the performance of this great work.

As to the details of the work itself I have but little to say. It is to be done as expeditiously as possible, and as economically as is consistent with thoroughness. There is one matter to which I wish to ask your special attention—the question of sanitation and hygiene. You will take measures to secure the best medical experts for this purpose whom you can obtain, and you will, of course, make the contractors submit as implicitly as your own employees to all the rules and regulations of the medical department under you. I presume you will find it best to have one head for this medical department, but that I shall leave to your own judgment.

The plans are to be carefully made with a view to the needs not only of the moment, but of the future. The expenditures are to be supervised as rigorously as if they were being made for a private corporation dependent for its profits upon the returns. You are to secure the best talent this country can afford to meet the conditions created by every need which may arise. The methods for achieving the results must be yours. What this nation will insist upon is that the results be achieved.

THEODORE ROOSEVELT.

The ISTHMIAN CANAL COMMISSION.

Order of the President, Mar. 26, 1904, prescribing compensation of Commissioners.

The compensation of the members of the Isthmian Canal Commission shall be as follows, until otherwise determined by Congress:

The salary of each commissioner shall be at the rate of twelve thousand dollars a year, payable one thousand dollars per month, commencing upon the day on which he takes the oath of office.

An additional allowance of fifteen dollars per day is to be paid to each member of the Commission while absent from the United States on duty.

Each member of the Commission shall be allowed expenses while traveling on duty as follows: Transportation, including seat in day Pullman car, or section in sleeping car; a reasonable allowance for baggage, portage, hacks and street cars; and hotel expenses not exceeding seven dollars per day.

The members of the Commission shall be considered as on duty when in Washington. Any travel for private purposes, or visiting their homes, shall not be considered as traveling on duty.

The approval of the Chairman or acting Chairman of the Commission shall be required on all vouchers.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 26, 1904.*

Letter of the President placing the Isthmian Canal Commission under the supervision and direction of the Secretary of War, and defining the jurisdiction and functions of the Commission.

WHITE HOUSE,

Washington, D. C., May 9, 1904.

SIR: By the act of Congress approved June 28, 1902,¹ the President of the United States is authorized to acquire for, and on behalf of, the United States, all the rights, privileges, franchises, concessions, grants of lands, rights of way, unfinished work, plants, shares of the capital stock of the Panama Railway, owned by or held for the use of the new Panama Canal Company, and any other property, real, personal, and mixed of any name or nature owned by the said new Panama Canal Company situated on the Isthmus of Panama. The President is by the same act also authorized to acquire for, and on behalf of, the United States perpetual control of a strip of land on the Isthmus of Panama, not less than six miles in width, extending from the Caribbean Sea to the Pacific Ocean, and the right to excavate, construct, and maintain perpetually, operate and protect thereon, a ship canal of certain specified capacity and also the right to perpetually operate the Panama Railroad. Having acquired

¹ The compensation of Commissioners was changed from time to time by Executive Orders, and from Mar., 1907, until the Commission ceased to exist as of Apr. 1, 1914, the compensation of the Chairman was \$15,000 a year, and, of the other Commissioners, \$14,000 a year.

T. & A. 30.

such rights, franchises, property, and control, the President is by the same act required to excavate, construct, and complete a ship canal from the Caribbean Sea to the Pacific Ocean, and to enable him to carry forward and complete this work, he is authorized to appoint, by and with the consent of the Senate, an Isthmian Canal Commission⁴ of seven members, who are to be in all matters subject to his direction and control.

By the terms of the Canal Convention between the United States and the Republic of Panama,⁵ entered into in pursuance of the said act of Congress approved June 28, 1902, the ratifications of which were exchanged on the 26th day of February, 1904, the Republic of Panama granted to the United States:

First; the perpetual use, occupation, and control of a certain zone of land, land under water including islands within said zone, at the Isthmus of Panama, all to be utilized in the construction, maintenance, and operation, sanitation and protection of the ship canal, of the width of ten miles extending to the distance of five miles on each side of the central line of the route of the canal, and the use, occupation, and control of other lands and waters outside of the zone above described which may be necessary and convenient for the construction, maintenance, operation, sanitation, and protection of said canal or of any auxiliary canals or other works necessary and convenient for the same purpose; also the islands of Perico, Naos, Culebra, and Flamenico,* situated in the Bay of Panama, and

Second, all the rights, powers, and authority within the zone, auxiliary lands and lands under water, which the United States would possess and exercise if it were the sovereign of the territory granted, to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, and authority.⁶

By the act of Congress approved April 28, 1904,⁷ the President is authorized, upon acquisition of the property of the new Panama Canal Company, and the payment to the Republic of Panama of the price for compensation agreed upon in the said Canal Convention, to take possession of, and occupy on behalf of the United States, the zone of land, and land under water, including islands within said zone at the Isthmus of Panama of the width of ten miles extending to the distance of five miles on each side of the central line of the route of the Canal to be constructed thereon, including the islands of Perico, Naos, Culebra, and Flamenico, and from time to time as may be necessary and convenient certain auxiliary lands and waters outside the said zone for the purpose of constructing, maintaining, operating, sanitating, and protecting the ship canal, the use, occupation, and control whereof were granted to the United States by the Republic of Panama in the said Canal Convention.

By the same act, the President is authorized, for the purpose of providing temporarily for the maintenance of order in the Canal Zone and for maintaining and protecting the inhabitants thereof in the free enjoyment of their liberty, property, and religion, to delegate to such person or persons as he may designate and to control the manner of their exercise, all the military, civil and judicial powers as well as the power to make all needful rules and regulations for the government of the Canal Zone and all the rights, powers and authority granted by the said Canal Convention to the United States, until the close of the Fifty-eighth Congress.⁸

Payments of the authorized purchase price of \$40,000,000 to the new Panama Canal Company for the property of that corporation on the Isthmus, including the shares of railway stock, and for the records in Paris, and of the sum of \$10,000,000, as stipulated in the Canal Convention, to the Republic of Panama for the rights, powers, and privileges granted to the United States by the terms of the said convention, have been made and proper instruments of transfer have been executed by the Panama Canal Company. The members of the Isthmian Canal Commission have been appointed.⁹ They have organized the commission and entered upon their duties. I have taken possession of and now occupy, on behalf of the United States, the canal zone and public land ceded by the Republic of Panama.¹⁰

* Should read Flamenico.

⁴ T. & A., sec. 7, p. 30.

⁵ T. & A. 18.

⁶ These two specifications are contained in Arts. II and III of the Hay-Varilla Treaty (T. & A. 18).

⁷ T. & A. 34.

⁸ At the close of the 58th Congress, by act of Mar. 3, 1905 (T. & A. 35), the Commission was revived and continued until the beginning of the 59th Congress. The act of Dec. 21, 1905 (T. & A. 36) being the first act of the next session of Congress relating to the Panama Canal, did not specifically continue the Commission, but provided for the continuance of construction of the Canal, and the government of the Canal Zone by the President and the persons appointed or employed by him, the aforesaid act being supplemental to the original Canal Act of June 28, 1902 (T. & A. 30).

⁹ See letter of the President, of Mar. 8, 1904, p. 19 hereof, relative to duties of Commission.

¹⁰ Actual possession of the Canal properties was taken on May 4, 1904, and by the Davis Agreement of June 16, 1904 (Ann. Rept., 1904, p. 78), Panama formally delivered over to the United States the use, occupation, and control in perpetuity of the zone of land mentioned in Arts. II and III of the Hay-Varilla Treaty.

It becomes my duty, under the statutes above referred to, to secure the active prosecution of the work of construction of the Canal and its auxiliary works, through the Isthmian Canal Commission, and in connection with such work and in aid thereof to organize and conduct a temporary government of the zone, so as to maintain and protect the inhabitants thereof in the free enjoyment of their liberty, property, and religion.

Inasmuch as it is impracticable for the President, with his other public duties, to give to the work of supervising the Commission's construction of the Canal and government of the zone the personal attention which seems proper and necessary, and inasmuch as the War Department is the department which has always supervised the construction of the great civil works for improving the rivers and harbors of the country and the extended military works of public defense, and as the said department has from time to time been charged with the supervision of the government of all the island possessions of the United States, and continues to supervise the government of the Philippine Islands, I direct that all the work of the Commission done by virtue of powers vested in me by the act of Congress approved June 28, 1902, in the digging, construction, and completion of the Canal, and all the governmental power in and over said canal zone and its appurtenant territory, which by virtue of the act of Congress approved April 28, 1904, and these instructions, shall be vested in said Isthmian Canal Commission,¹¹ shall be carried on or exercised under your supervision and direction as Secretary of War.

Subject to the limitations of law and the conditions herein contained, the Isthmian Canal Commission are authorized and directed:

1. To make all needful rules and regulations for the government of the zone and for the correct administration of the military, civil, and judicial affairs of its possessions until the close of the Fifty-eighth Congress.¹²

2. To establish a civil service for the government of the strip and construction of the Canal, appointments to which shall be secured as nearly as practicable by a merit system.¹³

3. To make or cause to be made all needful surveys, borings, designs, plans, and specifications of the engineering, hydraulic, and sanitary works required and to supervise the execution of the same.

4. To make and cause to be executed after due advertisement all necessary contracts for any and all kinds of engineering and construction works.

5. To acquire by purchase or through proper and uniform expropriation proceedings,¹⁴ to be prescribed by the commission, any private lands or other real property whose ownership by the United States is essential to the excavation and completion of the Canal.¹⁵

6. To make all needful rules and regulations respecting an economical and correct disbursement and an accounting for all funds that may be appropriated by Congress for the construction of the canal, its auxiliary works, and the government of the canal zone; and also to establish a proper and comprehensive system of bookkeeping, showing the state of the work, the expenditures by classes, and the amounts still available.¹⁶

7. To make requisition on the Secretary of War for funds needed from time to time in the proper prosecution of the work and to designate the disbursing officers authorized to receipt for the same.

¹¹ See notes under p. 19 hereof relative to life of the Commission.

¹² In pursuance of these instructions the Commission enacted twenty-four acts which were later assembled and published in the volume known as the "Laws of the Canal Zone," the Civil Code and Code of Civil Procedure of the Republic of Panama, continued in force by paragraph 7 hereof, were translated into English; various municipal ordinances and regulations of the Board of Health were also adopted. The authority of the Commission to legislate ceased on Mar. 3, 1905, but in view of certain resolutions adopted by the Commission after that period, the Executive Order of Feb. 28, 1907, p. 57, confirmed all acts and resolutions of the Commission passed since Mar. 4, 1905, in so far as they effected changes in the laws of the Canal Zone. By Executive Order of Mar. 13, 1907, sec. 7, p. 62, the Commission was again authorized, with approval of the Secretary of War, to enact ordinances regulating police, sanitation, and taxes, and any other matters regulated by ordinance, and to repeal existing ordinances. Under this authority various ordinances were enacted which will be published in the reprint of the volume of the "Laws of the Canal Zone."

¹³ Classification of the Isthmian Canal Commission service provided by the Executive Order of Nov. 15, 1904, p. 28.

¹⁴ Expropriation proceedings provided by Act No. 6 of the Isthmian Canal Commission of Aug. 27, 1904 (L. C. Z. 30), as amended by Act No. 21 of the Isthmian Canal Commission of Feb. 28, 1905 (L. C. Z. 249).

¹⁵ See notes under Art. VI, Hay-Varilla Treaty (T. & A. 18) relative to Joint Commission. See also sec. 3, Panama Canal Act (T. & A. 79), authorizing the President to declare by Executive Order that all land and land under water within the Canal Zone is necessary for Canal purposes, and Executive Order of Dec. 5, 1912, p. 132, issued under that authority.

¹⁶ Provided by Act No. 8 of the Commission, as amended by Act No. 20 (L. C. Z. 61) relating to treasurer and auditor. See also Executive Order of Aug. 15, 1907, p. 68, reorganizing Accounting Department.

The inhabitants of the Isthmian Canal Zone are entitled to security in their persons, property, and religion, and in all their private rights and relations. They should be so informed by public announcement.¹⁷ The people should be disturbed as little as possible in their customs and avocations that are in harmony with principles of well ordered and decent living.

The municipal laws of the canal zone are to be administered by the ordinary tribunals substantially as they were before the change. Police magistrates and justices of the peace and other officers discharging duties usually devolving upon these officers of the law will be continued in office if they are suitable persons. The governor of the zone, subject to approval of the commission, is authorized to appoint temporarily a judge for the canal zone, who shall have the authority equivalent to that usually exercised in Latin countries by a judge of a court of first instance, but the Isthmian Canal Commission shall fix his salary and may legislate respecting his powers and authority, increasing or diminishing them in their discretion, and also making provision for additional or appellate judges, should the public interest require.¹⁸

The laws of the land, with which the inhabitants are familiar, and which were in force on February 26, 1904, will continue in force in the canal zone and in other places on the isthmus over which the United States has jurisdiction until altered or annulled by the said commission,¹⁹ but there are certain great principles of government which have been made the basis of an existence as a nation which we deem essential to the rule of law and the maintenance of order, and which shall have force in said zone. The principles referred to may be generally stated as follows:

That no person shall be deprived of life, liberty, or property without due process of law; that private property shall not be taken for public use without just compensation; that in all criminal prosecutions the accused shall enjoy the right of a speedy and public trial,²⁰ to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense; that excessive bail shall not be required nor excessive fines imposed, nor cruel or unusual punishment inflicted; that no person shall be put twice in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself; that the right to be secure against unreasonable searches and seizures shall not be violated; that neither slavery nor involuntary servitude shall exist except as a punishment for crime; that no bill of attainder or ex post facto law shall be passed; that no law shall be passed abridging the freedom of speech or of the press, or of the rights of the people to peaceably assemble and petition the government for a redress of grievances; that no law shall be made respecting the establishment of religion or prohibiting the free exercise thereof: *Provided, however,* that the commission shall have power to exclude from time to time from the canal zone and other places on the isthmus, over which the United States has jurisdiction, persons of the following classes who were not actually domiciled within the zone on the 26th day of February, 1904, viz: Idiots, the insane, epileptics, paupers, criminals, professional beggars, persons afflicted with loathsome or dangerous contagious diseases; those who have been convicted of felony, anarchists, those whose purpose it is to incite insurrection and others whose presence it is believed by the commission would tend to create public disorder, endanger the public health, or in any manner impede the prosecution of the work of opening the canal, and may cause any and all such newly-arrived persons or those alien to the zone to be expelled and deported from the territory controlled by the United States, and the

¹⁷ Made by the Governor of the Canal Zone on May 19, 1904 (see Ann. Rept. 1904, p. 78).

¹⁸ Judiciary organized by Act No. 1 of Commission, Aug. 16, 1904 (L. C. Z. 9); Department of Justice created by act No. 8 of Sept. 2, 1904 (L. C. Z. 61). Act No. 5 of Aug. 22, 1904 (L. C. Z. 29), continued alcaldes in office until organization of municipal courts. Municipal governments in the Canal Zone were organized under act No. 7 of the Commission on Sept. 1, 1904, effective Nov. 1, 1904. Act No. 7 as it appears on p. 37 of the volume of Laws of the Canal Zone reads as amended by act No. 18 of Oct. 24, 1904. On Mar. 13, 1907, an Executive Order effective Apr. 15, 1907, was issued (see p. 60), dividing the Canal Zone into four administrative districts, and abolishing the municipalities. Under the latter order the tax collector discharged the duties of the former municipal treasurer and board of assessors—all municipal offices were abolished. Each administrative district had one district judge, who exercised all the authority formerly exercised by the municipal judges. See Panama Canal Act provision for continuing the courts above mentioned until establishment of courts provided in that act.

¹⁹ The Code of Civil Procedure of Panama continued in force until the Code of Civil Procedure of the Canal Zone was put into effect on May 1, 1907, as provided by the Executive Order of Mar. 22, 1907, p. 64. The Civil Code of Panama is still in force in the Canal Zone, as well as to some extent the Code of Commerce of Panama. See Reports of Supreme Court of Canal Zone, vol. 2, Chong v. Chong, p. 25, and Fitzpatrick v. Railroad, p. 111, for interpretation of this provision of the President's Order.

²⁰ See Executive Orders of Feb. 6, 1908, p. 76, and June 30, 1913, p. 149, relating to trials by jury.

commission may defray from the canal appropriation the cost of such deportation as necessary expenses of the sanitation, the police protection of the canal route, and the preservation of good order among the inhabitants.²¹

The commission may legislate on all rightful subjects of legislation not inconsistent with the laws and treaties of the United States so far as they apply to said zone and other places, and the said power shall include the enactment of the sanitary ordinances of a preventive or curative character to be enforced in the cities of Colon and Panama and which are contemplated and authorized by Article 7 of said Canal Convention.²² Such legislative power shall also include the power to raise and appropriate revenues in said zone;²³ and all taxes, judicial fines, customs duties and other revenues levied and collected in said zone by or under the authority of said commission shall be retained, accounted for, and disbursed by said commission for its proper purposes. The members of said commission to the number of four or more shall constitute a legislative quorum, and all rules and regulations passed and enacted by said commission shall have set forth as a caption that they are enacted by the Isthmian Canal Commission "By authority of the President of the United States."

The commission shall hold its regularly quarterly meetings at the office of the commission either in Panama or at a branch office in Washington, and special meetings may be held at the pleasure of the commission.

All laws, rules, and regulations of a governmental character enacted by the commission hereunder shall be submitted to you for your approval, and should your approval be withheld from any such law, rule, or regulation, then from that time the law, rule, or regulation shall thereafter have no force or effect.

Major General George W. Davis, U. S. Army (retired), a member of the Canal Commission, is hereby appointed governor of the Isthmian Canal Zone.²⁴ He will proceed at once to the Isthmus of Panama. He will in my name, as the chief executive in the canal zone, for and on behalf of the United States, see that the laws are faithfully executed and will maintain possession of said territory, including the public lands therein and the property real and movable on the Isthmus of Panama, except that of the Panama Railroad, that has recently been acquired from the Republic of Panama.²⁵ He is hereby vested with the power to grant reprieves and pardons for offenses against the rules, regulations, and laws in force by virtue of action of the commission or by virtue of the clause hereof continuing in force the laws of Panama.²⁶ In case of his disability or absence from the canal zone at any time, the Isthmian Canal Commission is empowered to designate the person or persons to act as governor during such absence or disability. Except as herein prescribed the duties of the governor shall be fixed by legislation of the Canal Commission.

For the preservation of order and protecting the property of the United States, within or without said zone as provided by Article 7 of the Canal Convention, an adequate police force shall be maintained.²⁷ If at any time there shall arise necessity for military or naval assistance the governor shall, if possible, promptly notify you

²¹ Resolution of the Commission of Feb. 20, 1905, p. 373, Minutes of Commission, directs the Governor of the Canal Zone to enforce the requirements of this proviso, as the executive officer of the Commission; that resolution was amended by resolution of the Commission of Jan. 21, 1907, p. 1547, Minutes of Commission, to permit the Department of Labor, Quarters, and Subsistence to deport sick persons certified by the Chief Sanitary Officer; and resolution of Apr. 24, 1907, transferred the above authority from the Governor to the Chairman. Governor's Circular No. 619, of Apr. 1, 1914, authorizes the Chief Health Officer to certify for deportation from the Canal Zone employees known to be chronically sick and incapacitated for further work, provided such persons voluntarily consent to deportation. See Executive Order of Feb. 6, 1917, p. 220, providing for exclusion of undesirables, and repealing all laws and orders in conflict therewith. See also Executive Order of Sept. 25, 1913, p. 151, providing for punishment of deported persons who return to the Canal Zone.

²² Sanitary rules and regulations for the cities of Panama and Colon are published in a separate pamphlet. See Acts Nos. 8 and 9 of the Commission (L. C. Z.), and notes thereunder, relating to sanitary rules for the Canal Zone. These have also been published in pamphlet form, together with ordinances of the Board of Health.

²³ Customs service organized by Executive Order of June 24, 1904, p. 26, which was substituted by Executive Order of Dec. 28, 1904, p. 32. See also act No. 8 of the Commission (L. C. Z. 61), creating a Department of Revenues, consisting of Customs Service, Internal Revenue Service, and Postal Service. Said act No. 8 was amended by act No. 23 of the Commission (L. C. Z. 253).

²⁴ The authority of the Governor or Chief Executive of the Canal Zone was later vested in the Chairman of the Isthmian Canal Commission by Executive Order of Apr. 2, 1907, p. 65.

²⁵ The Governor arrived at Colon on May 17, 1904, and on May 19 announced to the inhabitants of the land ceded by the Republic of Panama for canal purposes that the territory had been occupied by the United States, and that he assumed the temporary government over the same, acting for and in the name of the President of the United States.

²⁶ Executive Order of July 30, 1909, p. 90, provides for good-time allowances for convicts in the Canal Zone Penitentiary. See also Executive Order of May 13, 1914, p. 174, empowering the Governor of The Panama Canal to grant pardons and reprieves, to commute sentences, to establish a parole system, and other regulations affecting the welfare of prisoners.

²⁷ Department of Police and Prisons created by act No. 8 of Commission (L. C. Z. 61). A penitentiary was established by act No. 12 of Commission (L. C. Z. 90).

and in the event of a sudden exigency the governor may call upon any available military or naval force of the United States to render assistance, and the same shall be immediately furnished.²⁸

It is a matter of first importance that the most approved and effective methods and measures known to sanitary science be adopted in order that the health conditions on the isthmus may be improved.²⁹ It is the belief of those who have noted the successful results secured by our Army in Cuba in the obliteration of yellow fever in that island that it is entirely feasible to banish the diseases that have heretofore caused most mortality on the isthmus, or at least to improve as greatly the health conditions there as in Cuba and Porto Rico. I desire that every possible effort be made to protect our officers and workmen from the dangers of tropical and other diseases, which in the past have been so prevalent and destructive in Panama.

Rear Admiral John G. Walker, U. S. Navy (retired), and Colonel Frank J. Hecker, members of the Isthmian Canal Commission, are hereby designated as members of the joint commission provided for by Articles 6 and 15 of the Canal Convention.³⁰ The moiety of the necessary expenses of the commission to be created in pursuance of Articles 6 and 15 of the above-cited Canal Convention will be defrayed from the appropriation applicable to the ship canal to connect the waters of the Atlantic and Pacific oceans.

The Isthmian Canal Commission will prepare for Congress and place in your hands on or before December 1 of each year³¹ a full and complete report of all their acts and of the operations conducted by them in respect to the canal construction and the government of the canal zone. These reports will contain a detailed account of all moneys received and disbursed in the performance of their duties and of the progress made in the construction of the canal.

The necessary expenses incurred by the commission in carrying on the government of the canal zone will be defrayed from the local revenues so far as the said revenues may be sufficient and the remainder will be met from the appropriation made by the fifth section of the act of Congress approved June 28, 1902.³² An estimate of the proposed expenditures and revenues for each year in carrying on the government of the zone will be submitted to Congress at the beginning of each annual session.

By virtue of the ownership by the United States of about sixty-nine seventieths of the shares of the capital stock of the Panama Railroad the general policy of the managers of said road will be controlled by the United States. As soon as practicable I desire that all the members of the Isthmian Canal Commission be elected to the board of directors of the road, and that the policy of the road be completely harmonized with the policy of the Government of making it an adjunct to the construction of the canal,³³ at the same time fulfilling the purpose for which it was constructed as a route of commercial movement across the Isthmus of Panama. If any contracts or other obligations now subsist between the railway company and other transportation companies that are not in accord with sound public policy, then such contracts must be terminated as soon as it is possible to effect that object.³⁴

No salary or per diem allowance of compensation in addition to the stated salary³⁵ and per diem allowance of the members of the Isthmian Canal Commission will be allowed to any member of the commission by reason of his services in connection with the civil government of the canal zone, or his membership of any board or commission concerned in or connected with the construction of the canal or by reason of his services as an officer or director of the Panama Railroad.

If there now be in force within the canal zone any franchise granting to any person or persons a privilege to maintain lotteries or hold lottery drawings or other gambling methods and devices of a character forbidden by the laws of the United States, or if the grantee of any such privilege has now the right to sell lottery tickets or similar

²⁸ See sec. 13, Panama Canal Act (T. & A. 79), providing for control of Canal by Army officer in time of war.

²⁹ Department of Health created by act No. 8 of Commission (L. C. Z. 61). See notes under p. 24 hereof relating to sanitary rules and regulations.

³⁰ Hay-Varilla Treaty (T. & A. 18).

³¹ Annual Reports for years 1904, 1905, and 1906 were submitted as of Dec. 1, but all reports of following years are by fiscal year.

³² T. & A. 30.

³³ Sec. 7, Panama Canal Act (T. & A. 79) provides that the Canal Zone is to be held, treated, and governed as an adjunct to The Panama Canal.

³⁴ Executive Order of Jan. 13, 1905, p. 34, appointed Joseph L. Bristow special Panama Railroad commissioner to make an investigation for the purpose of determining the best policy to be pursued in the management of the Panama Railroad Company. His report, submitted to the Secretary of War on June 24, 1905, has been published in one volume by the Commission.

³⁵ See notes under Executive Order of Mar. 26, 1904, p. 20, relating to compensation of Commissioners.

devices to facilitate the business of the concessionaire, the commission shall enact laws annulling the privileges or concessions and punishing future exercise of the same by imprisonment or fine, or both.³⁶

These instructions may be modified and supplemented as occasion shall arise.³⁷

Very respectfully,

THEODORE ROOSEVELT.

WILLIAM H. TAFT,
Secretary of War.

Order of the Secretary of War, June 24, 1904. Establishment and administration of customs service in the Canal Zone.³⁸

WAR DEPARTMENT,
Washington, June 24, 1904.

To the CHAIRMAN OF THE ISTHMIAN CANAL COMMISSION:

By direction of the President it is ordered:—

SECTION 1. The territory of the Canal Zone of the Isthmus of Panama is hereby declared open to the commerce of all friendly nations. All articles, goods, and wares, not included in the prohibited list, entering at the established customs ports, will be admitted upon payment of such customs duties and other charges as are in force at the time and place of their importation.

SECTION 2. For the purposes of customs administration in said Canal Zone, there are hereby established two collection districts as follows:

First: The District of Ancon, comprising the southern half of said Canal Zone more particularly described as follows:

The port of entry in said district shall be Ancon.

Second. The District of Cristobal,* comprising the northern half of said Canal Zone more particularly described as follows:

The port of entry in said district shall be Cristobal.*

SECTION 3. There is hereby created and shall be maintained in the government of the Canal Zone a subdivision of the executive branch to be known as the Customs Service: the general duties, powers and jurisdiction of the Customs Service shall be to administer the customs laws and tariff regulations in force in said Zone. The Governor of the Canal Zone shall be the head of the Customs Service. There shall be a Collector of Customs for each Collection District, who shall receive an annual salary of two thousand five hundred dollars in gold, payable in monthly installments. It shall be the duty of the Collector to collect all revenues derived from the enforcement of the customs laws and tariff regulations in the District subject to his jurisdiction, and to perform such other service in the administration of such laws as is ordinarily performed by a Collector of Customs or as he may be required to perform by the Governor of the Canal Zone. The Collector of Customs shall be appointed by the Governor, with the advice and consent of the Isthmian Commission. The Governor of the Canal Zone is hereby authorized to appoint and fix the compensation of Deputy Collectors, Surveyors of Customs and such other subordinates and employees as may be necessary for the efficient administration of the Customs laws and Service.

SECTION 4. The Governor of the Canal Zone is hereby authorized and empowered to prescribe and enforce rules and regulations for the administration of the Customs laws and Service of said Zone, and report the same to the Chairman of the Commission and said rules and regulations shall have the force and effect of law until annulled or modified by legislative act of the Isthmian Canal Commission or other competent authority.

SECTION 5. Until otherwise provided by competent authority, duties on importation into the Canal Zone are to be levied in conformity with such duties as Congress has imposed upon foreign merchandise imported into other ports of the United States.

SECTION 6. Goods or merchandise entering the Canal Zone from ports of the United States or Insular possessions of the United States shall be admitted on the same terms as at the ports of the States of this Union.

* Should read Cristobal.

³⁶ Act No. 3 of the Commission of Aug. 22, 1904 (L. C. Z. 23) provides for suppression of lotteries and similar enterprises. See also act No. 4 of same date, prohibiting gambling. In the case of Canal Zone v. Christian, p. 1, vol. 1. Sup. Ct. Repts. of C. Z., the court held the aforesaid act No. 4 to be valid and in accordance with the treaty, although gambling within the Zone was covered by a concession from the Republic of Panama, and the concessionaire violated a valid law when he operated a roulette table within the Canal Zone.

³⁷ See notes under page 19 hereof relative to several changes in organization of the Commission.

³⁸ Revoked by Executive Order of Dec. 16, 1904, p. 32, and substituted by Executive Order of Dec. 28, 1904, p. 32. See also Taft Agreement, p. 29.

SECTION 7. All goods or merchandise, whether free or dutiable, entering the Canal Zone by water, by rail or otherwise, for transportation across said Zone must be entered at the Customs House of the Collection District wherein the point of entrance is situated. Violation of this requirement shall subject the goods to seizure and forfeiture by the Customs officials.

SECTION 8. The Governor of the Canal Zone is authorized to enter and carry out an agreement with the President of the Republic of Panama for cooperation between the Customs Service of the Canal Zone and that of the Republic of Panama to protect the customs revenues of both governments and to prevent frauds and smuggling.

SECTION 9. The Governor of the Canal Zone is hereby authorized to enter upon negotiations and make a tentative agreement with the President of the Republic of Panama respecting reciprocal trade relations between the territory and inhabitants of the Canal Zone and appurtenant territory and the Republic of Panama; also a readjustment of customs duties and tariff regulations so as to secure uniformity of rates and privileges and avoid the disadvantages resulting from different schedules, duties, and administrative measures in limited territory subject to the same conditions and not separated by natural obstacles. The Governor shall report as to such negotiations and proposed agreement to the Chairman of the Isthmian Canal Commission, for submission and consideration by the Commission and such action by competent authority as may be necessary to render said agreement effective in the Canal Zone.

This order will be proclaimed and enforced in the Canal Zone at Panama.

WM. H. TAFT,
Secretary of War.

Order of the Secretary of War, June 24, 1904, establishing postal service in the Canal Zone.

WAR DEPARTMENT,
Washington, June 24, 1904.

To the CHAIRMAN OF THE ISTHMIAN CANAL COMMISSION:

SIR: The necessities of the inhabitants and the due administration of the affairs of government in the Canal Zone at Panama require the establishment of post-offices and postal service in that territory.³⁹

It is therefore ordered: That a Post-Office be established in each of the following named towns of the Canal Zone, to wit: Cristobal, Gatun, Boheo,* Gorgona, Bas Obispo, Empire, Culebra, La Boca, and Ancon.

The post-offices at Cristobal and Ancon shall be money order offices.

The Governor of the Canal Zone is hereby authorized to appoint postmasters for the post-offices herein established and fix the compensation therefor, subject to the approval of the Isthmian Canal Commission.

The Governor of the Canal Zone is directed to formulate a plan for a practical and efficient postal service in said Canal Zone, and including such measures and provisions of the postal service of the United States as are not inapplicable to the conditions of law and fact existing in the Canal Zone, and to report said plan to the Chairman of the Isthmian Canal Commission for such action as the discretion of the Commission shall approve.⁴⁰

Pending the establishment of the postal service by act of the Commission or other competent authority, the Governor of the Canal Zone is hereby authorized to establish post offices at such additional places in the Canal Zone as in his judgment the interests of the public require, and to appoint postmasters therefor and fix their compensation, subject to the approval or other action thereon by the Isthmian Canal Commission.

The Governor of the Canal Zone is also authorized to adopt and enforce such temporary rules, regulations, provisions, and requirements as may be necessary to secure a practical and efficient postal service in said Canal Zone; and to employ such temporary assistants and employees as the exigencies of the service require.

By direction of the President:

WM. H. TAFT,
Secretary of War.

* Should read Bohio.

³⁹ This order modified and supplemented by sec. 7, Executive Order of Dec. 3, 1904 (Taft Agreement), p. 29.

⁴⁰ Permanent postal service created by act No. 8 of Commission of Sept. 2, 1904, secs. 42-44 (L. C. Z. 61). Postal Savings system was established by Executive Order of Sept. 8, 1911, p. 117, but same was abolished by the Executive Order of Sept. 5, 1914, p. 199, which, however, provided for money-order deposits without payment of a fee.

Order of the President, Nov. 15, 1904. Classification of commission under civil-service laws.⁴¹

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., December, 1904.

On November 15, 1904, the President promulgated the following order:

CLASSIFICATION OF THE ISTHMIAN CANAL COMMISSION.

In exercise of the power vested in the President by section 1753 of the Revised Statutes and acts amendatory thereof:

It is ordered, That the Isthmian Canal Commission be classified and the civil-service act and rules applied thereto, and that no person be hereafter appointed, employed, promoted, or transferred in the service of said Commission unless he passes an examination in conformity therewith, unless specifically exempted thereunder. This order shall apply to all officers and employees, except persons employed merely as laborers, persons whose appointments are confirmed by the Senate, and engineers detailed from the Army.

The officers and employees included within the provisions of this order are hereby arranged in classes according to annual salary or compensation as follows:

- | | |
|--|--|
| (A) Less than \$720. | (2) \$1,400 or more and less than \$1,600. |
| (B) \$720 or more and less than \$840. | (3) \$1,600 or more and less than \$1,800. |
| (C) \$840 or more and less than \$900. | (4) \$1,800 or more and less than \$2,000. |
| (D) \$900 or more and less than \$1,000. | (5) \$2,000 or more and less than \$2,500. |
| (E) \$1,000 or more and less than \$1,200. | (6) \$2,500 or more. |
| (1) \$1,200 or more and less than \$1,400. | |

In connection with this order of classification the President issued the following Executive order defining the positions which may be filled without competitive examination under the civil-service rules:

EXECUTIVE ORDER.

Schedule A of the civil-service rules⁴² is hereby amended by adding at the end thereof a new section, reading:

VIII.—ISTHMIAN CANAL COMMISSION.

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|---|--|
| 1. Secretary. | 14. Resident engineers as hereinafter to be provided for. |
| 2. Assistant Secretary. | 15. Hospital attendants other than nurses and clerical force. |
| 3. Executive Secretary to the Governor of the Canal Zone. | 16. Chief Sanitary Officer. |
| 4. Chief Clerk. | 17. Assistant Sanitary officers as hereinafter to be provided for. |
| 5. Treasurer. | 18. Director of Hospitals. |
| 6. One Deputy Treasurer. | 19. Superintendents of canal hospitals, one for each hospital. |
| 7. One Chief of Materials and Supplies. | 20. Chief Quarantine Officer. |
| 8. Auditor. | 21. Two assistant quarantine officers. |
| 9. Two deputy auditors. | 22. Sanitary officer at Colon. |
| 10. One Disbursing Officer for the Canal Zone. | 23. Sanitary officer at Panama. |
| 11. One Collector of Revenue. | |
| 12. Chief Engineer of the Commission. | |
| 13. Division engineers as hereinafter to be provided for. | |

The number of division engineers, resident engineers, and assistant sanitary officers shall be agreed upon between the Isthmian Canal Commission and the Civil Service Commission at the end of one year from the date of this order.

The Isthmian Canal Commission is to furnish the Civil Service Commission semi-annually, on the first days of December and June, with statements of the names of those employed as hospital attendants, as above set forth, during the preceding six months, with a general statement of the duties of each of them.

⁴¹ There are numerous Executive Orders following this order on this subject, which can be found listed in the table of contents. See also Executive Order of Feb. 2, 1914, p. 158, providing conditions of employment for the permanent force for The Panama Canal.

⁴² Schedule A is a list of the classified positions excepted from examination under Rule II, clause 3, which is as follows:

"3. Appointments to the excepted positions named in Schedule A of these rules may be made without examination or upon noncompetitive examination; but the proper appointing officer may fill an excepted position as competitive positions are filled, in which case the person appointed will receive all the rights of a competitive employee."

Order of the Secretary of War, Dec. 3, 1904. Importations into the Canal Zone.

TAFT AGREEMENT.

PANAMA, December 3, 1904.

By direction of the President, it is ordered that, subject to the action of the Fifty-eighth Congress as contemplated by the act of Congress, approved April 28, 1904:

SECTION 1. No importation of goods, wares, and merchandise shall be entered at Ancon or Cristobal, the terminal ports of the Canal, except such goods, wares, and merchandise as are described in Article XIII of the treaty between the Republic of Panama and the United States, the ratifications of which were exchanged on the 26th day of February, 1904⁴³ and except goods, wares, and merchandise in transit across the Isthmus for a destination without the limits of said isthmus, and except coal and crude mineral oil for fuel purposes to be sold at Ancon or Cristobal to sea-going vessels; said coal and oil to be admitted to those ports free of duties for said purposes:⁴⁴

Provided, however, That this order shall be inoperative, first, unless the Republic of Panama shall reduce the ad valorem duty on imported articles described in class 2 of the act of the National Convention of Panama passed July 5, 1904, and taking effect October 12, 1904, from fifteen per centum to ten per centum and shall not increase the rates of duty on the imported articles described in the other schedules of said act except on all forms of imported wines, liquors, alcohol, and opium on which the Republic may fix higher rates;⁴⁵ second, unless article 38 of the Constitution of the Republic of Panama as modified by article 146 thereof shall remain in full force and unchanged so far as the importation and sale of all kinds of merchandise are concerned; third, unless the consular fees and charges of the Republic of Panama in respect to entry of all vessels and importations into said ports of Panama and Colon shall be reduced to sixty per cent of the rates now in force; and, fourth, unless goods imported into the ports of Panama and Colon consigned to or destined for any part of the Canal Zone shall not be subjected in the Republic of Panama to any other direct or indirect impost or tax whatever.

SEC. 2. In view of the proximity of the port of Ancon to the port of Panama, and the port of Cristobal to the port of Colon, the proper customs or port official of the Canal Zone shall, when not inconsistent with the interests of the United States, at the instance of the proper authority of the Republic of Panama, permit any vessel, entered at or cleared from the ports of Panama and Colon, together with its cargo and passengers, under suitable regulations for the transit of the imported merchandise and passengers to and from the territory of the Republic of Panama, to use and enjoy the dockage and other facilities of the ports of Ancon and Cristobal respectively upon payment of proper dockage dues to the owners of said docks:

Provided, however, That reciprocal privileges as to dockage and other facilities at Panama and Colon, together with suitable arrangement for transit of imported merchandise and passengers to and from the territory of the Canal Zone, shall be granted by the authorities of the Republic of Panama, when not inconsistent with its interests, to any vessel, together with its cargo and passengers entered at or cleared from the port of Ancon and Cristobal: *Provided, however,* That nothing herein contained shall affect the complete administrative, police, and judicial jurisdiction of the two governments over their respective ports and harbors, except as hereinafter provided in section 6.

Provided, also, That vessels entering or clearing at the port of Panama shall have the absolute right freely to anchor and lade and discharge their cargoes by lighterage from and to Panama at the usual anchorage in the neighborhood of the islands of Perico, Flamenco, Naos, and Culebra though included in the harbor of Ancon under the provisional delimitation as amended under section 5 hereafter, and to use the said waters of said harbor for all lawful commercial purposes.

SEC. 3. All manifests and invoices and other documents in respect to vessels or cargoes cleared or consigned for or from the ports of Panama and Colon shall, as heretofore, be made by the officials of the Republic of Panama. All manifests, invoices, and other documents in respect to the vessels and cargoes cleared or consigned for or from the ports of Ancon or Cristobal shall be made by officials of the United States.

⁴³ Hay-Varilla Treaty (T. & A. 18).

⁴⁴ Sec. 1 modified by Executive Order of Dec. 6, 1904, p. 31. See also Executive Order of Jan. 7, 1905, specifying goods that will be classed under Art. XIII of the Hay-Varilla Treaty, who may secure entry, and procedure.

⁴⁵ This proviso substituted by proviso of Executive Order of Jan. 5, 1911, p. 103.

SEC. 4. No import duties, tolls, or charges of any kind whatsoever shall be imposed by the authorities of the Canal Zone upon goods, wares, and merchandise imported, or upon persons passing from the territory of the Republic of Panama into the Canal Zone, and section 5 of the Executive Order of June 24, 1904,⁴⁶ providing that duties on importations into the Canal Zone are to be levied in conformity with such duties as Congress has imposed upon foreign merchandise imported into ports of the United States is hereby revoked, but this order shall be inoperative unless the authorities of the Republic of Panama shall grant by proper order reciprocal free importation of goods, wares, and merchandise and free passage of persons from the territory of the Canal Zone into that of the Republic of Panama.

SEC. 5. The provisions of this order also shall not be operative except upon the condition that the delimitation of the cities and harbors of Colon and Panama, signed on the 15th of June, 1904,⁴⁷ by the proper representatives of the governments of the Republic of Panama and of the Canal Zone, shall be provisionally enforced, and while the same shall remain in force with the consent of both parties thereto, the provisional delimitation shall include not only the terms set forth in the writing thereof, but also the following, viz.: That the harbor of Panama shall include the maritime waters in front of said city to the south and east thereof, extending three marine miles from mean low-water mark, except the maritime waters lying westerly of a line drawn from a stake or post set on Punta Mala through the middle island of the three islands known as Las Tres Hermanas, and extending three marine miles from mean low-water mark on Punta Mala, which waters shall be considered in the harbor of Ancon.

SEC. 6. This order also shall be inoperative unless the proper governmental authorities of the Republic of Panama shall grant power to the authorities of the Canal Zone to exercise immediate and complete jurisdiction in matters of sanitation and quarantine in the maritime waters of the ports of Panama and Colon.⁴⁸

SEC. 7. The Executive Order of June 24, 1904,⁴⁹ concerning the establishment of post-offices and postal service in the Canal Zone is modified and supplemented by the following provisions:

All mail matter carried in the territory of the Canal Zone to or through the Republic of Panama to the United States and to foreign countries shall bear the stamps of the Republic of Panama properly crossed by a printed mark of the Canal Zone Government, and at rates the same as those imposed by the Government of the United States upon its domestic and foreign mail matter, exactly as if the United States and the Republic of Panama for this purpose were common territory. The authorities of the Canal Zone shall purchase from the Republic of Panama such stamps as the authorities of the Canal Zone desire to use in the Canal Zone at forty per centum of their face value;⁵⁰ but this order shall be inoperative unless the proper authorities of the Republic of Panama shall by suitable arrangement with the postal authorities of the United States provide for the transportation of mail matter between post-offices on the Isthmus of Panama and post-offices in the United States at the same rates as are now charged for domestic postage in the United States, except all mail matter lawfully franked and inclosed in the so-called penalty envelopes of the United States Government concerning the public business of the United States, which shall be carried free, both by the governments of Panama and of the Canal Zone: *Provided, however,* That the zone authorities may for the purpose of facilitating the transportation of through mail between the zone and the United States in either direction inclose such through mail properly stamped or lawfully franked in sealed mail pouches, which shall not be opened by the authorities of the Republic of Panama in transit, on condition that the cost of transportation of such mail pouches shall be paid by the Zone Government.

SEC. 8. This order also shall not be operative unless the currency agreement made at Washington June 20, 1904, by the representatives of the Republic of Panama and the Secretary of War of the United States, acting with the approval of the President of the United States, for the establishment of a gold standard of value in the Republic of Panama, and proper coinage shall be approved and put into execution by the President of the Republic of Panama, pursuant to the authority conferred upon him by law of the Republic of Panama, No. 84, approved June 20, 1904, and unless the President of the Republic of Panama, in order that the operation of the said currency agree-

⁴⁶ That entire Order was revoked by Executive Order of Dec. 16, 1904, p. 32, and substituted by Executive Order of Dec. 28, 1904, p. 32.

⁴⁷ The Davis Agreement, Ann. Rept. of 1904, pp. 80-81. See also Boundary Convention (T. & A. 25).

⁴⁸ Granted by Decree No. 66 of President of Panama of Dec. 6, 1904.

⁴⁹ P. 26.

⁵⁰ Executive Order of Nov. 17, 1906, p. 54, authorizes expenditure of Canal Zone funds for purchase of stamps from the Panama Government for surcharging for use in the Canal Zone.

ment in securing and maintaining a gold standard of value in the Republic of Panama may not be obstructed thereby, shall by virtue of his authority conferred by law No. 65, enacted by the National Assembly of Panama on June 6, 1904, abolish the tax of one per cent on gold coin exported from the Republic of Panama.

SEC. 9. Citizens of the Republic of Panama at any time residing in the Canal Zone shall have, so far as concerns the United States, entire freedom of voting at elections held in the Republic of Panama and its provinces or municipalities at such places outside of the Canal Zone as may be fixed by the Republic, and under such conditions as the Republic may determine; but nothing herein is to be construed as intending to limit the power of the Republic to exclude or restrict the right of such citizens to vote as it may be deemed judicious.

SEC. 10. The highway extending from the eastern limits of the city of Panama, as fixed in the above mentioned provisional delimitation agreement of June 10, 1904, to the point still further to the eastward where the road to the "Savannas" crosses the zone line (which is 5 miles to eastward of the center axis of the canal) shall be repaired and maintained in a serviceable condition at the cost and expense of the authorities of the Canal Zone, and also in like manner the said road from the said eastern limits of the city of Panama to the railroad bridge in the city of Panama shall be repaired at the cost of the authorities of the Canal Zone;⁵¹ but this order shall not be operative unless the Republic of Panama shall waive its claim for compensation for the use in perpetuity of the municipal buildings located in the Canal Zone.

SEC. 11. The United States will construct, maintain, and conduct a hospital or hospitals either in the Canal Zone or in the territory of the Republic, at its option, for the treatment of persons insane or afflicted with the disease of leprosy, and indigent sick, and the United States will accept for treatment therein such persons of said classes as the Republic may request; but this order shall not be operative, unless, first, the Republic of Panama shall furnish without cost the requisite lands for said purposes if the United States shall locate such hospital or hospitals in the territory of the Republic; and, second, unless the Republic shall contribute and pay to the United States a reasonable daily per capita charge in respect of each patient entering, upon the request of the Republic, to be fixed by the Secretary of War of the United States.⁵²

SEC. 12. The operation of this Executive Order and its enforcement by officials of the United States on the one hand, or a compliance with and performance of the conditions of its operation by the Republic of Panama and its officials on the other, shall not be taken as a delimitation, definition, restriction, or restrictive construction of the rights of either party under the treaty between the United States and the Republic of Panama.⁵³

This order is to take effect on the 12th day of December, 1904.

WM. H. TAFT,
Secretary of War.

Order of the Secretary of War, Dec. 6, 1904. Importations into the Canal Zone.

PANAMA, December 6, 1904.

SECTION 1. Consignments of goods, wares, and merchandise which by virtue of section 1 of the above mentioned order of December 3, 1904,⁵⁴ can not be entered for importation at the ports of Ancon or Cristobal may nevertheless, at the option of the consignor, if accompanied by the proper consular invoices of the consul of the Republic of Panama at the port of consignment, be landed at Ancon or Cristobal, respectively, in transit to any part of the Canal Zone or the republic upon payment of the proper duties to the Republic of Panama, under suitable arrangements similar to those provided for by section 2 of said order of December 3, 1904.

But such goods, wares, and merchandise not accompanied by consular invoice of the consul of the republic shall not be permitted to land at Ancon or Cristobal.

⁵¹ Canal Zone relieved of duty to repair and maintain this road by Art. VIII of Boundary Convention (T. & A. 25).

⁵² Fixed at 75 cents U. S. currency per day per capita by Executive Order of Feb. 27, 1908, p. 79. See also Executive Order of May 10, 1911, p. 109, relating to the government of the insane asylum for the Canal Zone, and Executive Order of the Governor of the Canal Zone of Sept. 23, 1905, relating to the organization of Santo Tomas Hospital, Panama, and Governor's Circulars Nos. 623 and 623-1, on same subject.

⁵³ See letter of the President of Oct. 18, 1904 (Ann. Rept. of 1904, pp. 5-6), addressed to the Secretary of War, directing the Secretary of War to visit the Isthmus, as a result of which visit the above Executive Order was issued by Mr. Taft at Panama. See also explanation of the terms of the order, as appears in the Ann. Rept. of 1904, pp. 7-12.

⁵⁴ pp. 17-21.

SEC. 2. The order of December 3, 1904, shall be construed to permit free exportation and consignment of goods, wares, and merchandise and free transit of persons and vehicles from the republic through the Canal Zone and from the terminal ports thereof.

By direction of the President:

WM. H. TAFT,
Secretary of War.

Order of the Secretary of War, Dec. 16, 1904, revoking order of June 24, 1904, relative to establishment and administration of customs service in the Canal Zone.

WAR DEPARTMENT,
Washington, December 16, 1904.

To the CHAIRMAN OF THE ISTHMIAN CANAL COMMISSION:

By direction of the President, the order of June 24, 1904,⁵⁵ relating to the establishment and administration of the customs service in the Canal Zone of the Isthmus of Panama, is hereby revoked.⁵⁶

WM. H. TAFT,
Secretary of War.

Order of the Secretary of War, Dec. 28, 1904. Establishment of customs administration in the Canal Zone.

WAR DEPARTMENT,
December 28, 1904.

SIR: By direction of the President, it is ordered that there shall be substituted for the order of June 25, 1904,⁵⁷ relating to the establishment and administration of the customs service in the Canal Zone of the Isthmus of Panama, which was revoked by the order of December 16, 1904, the following:⁵⁸

"SECTION 1. For the purpose of customs administration in the Canal Zone there is hereby established a customs district, which comprises all the lands and waters within the control and jurisdiction of the United States on the Isthmus of Panama and the maritime waters contiguous to the shores of the said Canal Zone extending to the distance of three marine miles from mean low-water mark, but not including any maritime waters that pertain to the harbors of the cities of Panama and Colon in the Republic of Panama, the harbors of which are sufficiently defined under the provisional agreement of delimitation signed by the proper representatives of the governments of Panama and of the Canal Zone on the 15th day of June, as modified by the consent of the parties in accordance with the description contained in section 5 of the Executive Order of December 3, 1904.

"SEC. 2. There shall be two ports of entry in the Canal Zone, to wit: Ancon, at the Pacific terminus of the canal, and Cristobal, at the Atlantic terminus, at which goods, wares, and merchandise may be imported or exported and vessels may be entered or cleared in accordance with the Executive Orders of December 3, 1904, and December 6, 1904.⁵⁹

"SEC. 3. The subdivision of the executive branch of the Government of the Canal Zone, known as the Department of Revenues, shall include the administration of the customs laws and tariff regulations in force in the said zone. The collector of revenues, who by act of the Isthmian Canal Commission is ex-officio the collector of customs, shall receive the salary which may be allowed by law, and shall perform the duties of collector of customs as required by the laws now in force in the Canal Zone or that may hereafter be enacted.

"SEC. 4. The deputy collectors and inspectors of customs, the health officers, and port captains at the ports of Ancon and Cristobal shall receive such compensation as may be allowed by law, and will perform their duties at said ports as required by the laws and regulations in force in the zone.

⁵⁵ p. 26.

⁵⁶ Substituted by Executive Order of Dec. 28, 1904, p. 32.

⁵⁷ Should read "June 24, 1904."

⁵⁸ The provisions following were incorporated in act No. 23 of the Commission of Feb. 28, 1905 (L. C. Z. 253), amending sec. 35 of act No. 8 of Commission (L. C. Z. 61).

⁵⁹ p. 29 (Taft Agreement and amendment). See also act of Congress, relating to entry of merchandise from Canal Zone to United States (T. & A. 35).

"SEC. 5. The order of December 16, 1904, revoking the order of June 24, 1904, together with this order, shall be proclaimed in the Canal Zone, Isthmus of Panama, and shall be in force from the date of the promulgation."

Very respectfully,

WM. H. TAFT,
Secretary of War.

The CHAIRMAN OF THE ISTHMIAN CANAL COMMISSION,
Washington, D. C.

Order of the President, Dec. 8, 1904, waiving United States citizenship of employees on the Isthmus.

The requirements as to United States citizenship may be waived for applicants for positions on the Isthmus of Panama under such regulations as may be provided by the United States Civil Service Commission.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 8, 1904.*

Order of the President, Jan. 5, 1905, amending civil-service rules applicable to the Commission.

Section VIII of Schedule A of the Civil Service Rules is hereby amended by adding the following-named positions:

Chief Justice and Judges of Supreme and Circuit Courts.

Clerks of the Supreme and Circuit Courts.

Marshals of the Supreme and Circuit Courts.

Municipal Judges.

Occasional officers of courts, such as referees, trustees, commissioners, and guardians ad litem.

Notaries Public.

Mayors of Municipalities.

Municipal Secretaries.

Assessors of taxes.

One Private Secretary to Governor of Canal Zone.

Warden and keeper of penitentiary at Gorgona.

One Chief of Police.

Captains of Police.

Detectives.

Corporals and privates of police force.

All employees in mechanical trades or other skilled manual occupations who are appointed locally upon the Isthmus of Panama and whose compensation is four dollars per diem or less or one hundred dollars per month or less while actually employed.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 5, 1905.*

Order of the Secretary of War, Jan. 7, 1905. Entries of merchandise at ports of Canal Zone.⁶⁰

WAR DEPARTMENT,
Washington, D. C., January 7, 1905.

By direction of the President, it is hereby ordered that—

1. To entitle goods, wares, and merchandise to entry at Ancon and Cristobal, the terminal ports of the Isthmian Canal, Canal Zone, Isthmus of Panama, it is necessary that it be established by the certificate of a member of the Isthmian Canal Commission, or of the chief engineer of the Isthmian Canal Commission, or of the chief of the Department of Material and Supplies, that said goods, wares, and merchandise are necessary and convenient for the construction of the Isthmian Canal or for the use and consumption of certain officers and employees in the service of the United States and of the Government of the Canal Zone and their families, stationed on the Isthmus of Panama, and are to be devoted to that purpose exclusively.⁶¹

2. The certificates above required shall be granted only when the goods, wares, and merchandise to be certified are (1) the property, including live stock and forage, of or under contract of purchase by the United States and intended for use in the work of

⁶⁰ See Art. VIII, Hay-Varilla Treaty (T. & A. 18) and Executive Order of Dec. 3, 1904 (Taft Agreement), p. 29.

⁶¹ The 612 and 613 series of circulars relate to free entry of freight, express, and parcel post shipments.

constructing the canal or the sanitation of the Isthmus; or for the service of the Government of the Canal Zone; (2) the property, including live stock and forage, of or under contract of purchase by a contractor with the United States or the Government of the Canal Zone for work on the construction of the Isthmian Canal, the sanitation of the Isthmus of Panama, provided that any goods, wares, or merchandise that are to be offered for sale by any contractor to his employees or otherwise shall not be entitled to such entry; (3) the property of the Government of the Canal Zone or of any municipality of said zone; (4) property and provisions intended for sale in commissaries established and operated by the Isthmian Canal Commission to officers, employees, and contractors of the Isthmian Canal Commission, of the Panama Railroad Company, or of any contractor with the Isthmian Canal Commission for work on the Isthmus (together with the families of such persons), who are citizens of the United States or who received compensation on what is known as the gold pay roll of the Commission, of the railroad company, or such contractor; (5) household furniture of such officers and employees of the Isthmian Canal Commission stationed in the Canal Zone, or Republic of Panama, including such articles, effects, and furnishings as pictures, books, musical instruments, chinaware, bed and table linen, and kitchen utensils; also wearing apparel, toilet objects, and articles for personal use; books, portable tools, and instruments; jewelry and table services, in quantities and of the class suitable to the rank and position of such officers and employees and intended for their own use and benefit and not for barter or sale, imported from the United States.

3. This order contemplates the exclusion from benefits of the commissaries established and maintained by the Commission⁶² of all employees and workmen who are natives of tropical countries wherein prevail climatic conditions similar to those prevailing on the Isthmus of Panama, and who therefore may be presumed to be able to secure the articles of food, clothing, household goods and furnishings, of the kind and character to which they are accustomed, from the merchants of Panama and Colon, and the towns of the Canal Zone, and whose ordinary needs may be supplied without recourse to the Government commissaries. Should it develop hereafter that said merchants charge prices in excess of legitimate profit, or practice other extortion, the United States, for the protection and assistance of all its employees, whether from the tropical or temperate zone, will supply its commissaries with such staple articles as are required and desired by the inhabitants of tropical countries, and permit all its employees and workmen and those of its contractors to avail themselves of the benefits and privileges afforded by said Government commissaries.⁶³

This order is to take effect on the 7th day of January, 1905.

WM. H. TAFT,
Secretary of War.

The CHAIRMAN OF THE ISTHMIAN CANAL COMMISSION.

Washington, D. C.

Order of the President, Jan. 13, 1905, appointing Joseph L. Bristow special Panama R. R. commissioner.

It is ordered that Joseph L. Bristow, of Kansas, be appointed a Special Commissioner for the purpose of visiting the ports of the Pacific Coast, the Isthmus of Panama, New York, and such other ports as may be necessary, to make an investigation into the present trade conditions and freight rates between the Atlantic and Pacific Coasts, across the Isthmus of Panama, and between the west coast of South America and the east coast of the United States, and Europe, for the purpose of determining the best policy to be pursued in the management of the Panama Railroad Company.⁶⁴

He is authorized to employ for this purpose a stenographer at not exceeding \$5 a day and his actual and necessary expenses, and to take evidence of all persons whose knowledge of trade conditions or rates will assist in reaching the necessary conclusion.

The Secretary of War will furnish to the Special Commissioner a letter of instructions, in detail, as to the course and extent of his investigations, and as to the time when he shall report his conclusions.⁶⁵

⁶² By resolution of the Commission of Dec. 8, 1904, p. 262, Minutes of Commission, the transfer of the commissary from the Panama Railroad to the Isthmian Canal Commission was approved. On June 14, 1905, the Commission adopted a resolution that on and after June 1, 1905 "the commissary formerly operated by the Isthmian Canal Commission shall be transferred to the Panama Railroad Company" (p. 704, Minutes of Commission). See the 663 series of circulars governing use of commissary coupon books.

⁶³ Sec. 3 revoked by Executive Order of Jan. 5, 1911, p. 103.

⁶⁴ See paragraph in Executive Order of May 9, 1904, p. 20, relative to the policy of the Panama Railroad.

⁶⁵ Report of the Special Commissioner, submitted to the Secretary of War on June 24, 1905, has been published in one volume by the Commission.

Until his report is forthcoming, the Commissioner will be allowed his actual expenses, and \$15 a day. The President will finally fix his entire compensation.⁶⁶ As Mr. Bristow will need until January 20, 1905, to close up matters awaiting his disposition as Fourth Assistant Postmaster General, this order will take effect on that date. The Isthmian Canal Commission is directed to provide the funds needed in the execution of this order.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 13, 1905.*

Order of the Secretary of War, Jan. 17, 1905, appointing members of Joint Commission.

By order of the President, Thomas T. Gaff, of Washington, D. C., and Dr. C. A. L. Reed,⁶⁷ of Cincinnati, Ohio, are hereby appointed as members of the joint commission provided for by Articles VI and XV of the Canal Convention of February 26, 1904.

They will visit Ancon in the Panama Canal Zone and make their presence known to the Governor of the Zone on or before the seventh of February.

They will receive the actual expenses of travelling and subsistence from the time of leaving their places of residence until their return, and also an allowance of ten dollars a day for their services.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., January 17, 1905.

Order of the Secretary of War, Jan. 19, 1905, amending order relative to members of Joint Commission

WAR DEPARTMENT,
Washington, January 19, 1905.

By order of the President, the Executive Order of January 17th is hereby amended by substituting for H. C. Warmouth, named therein, Dr. C. A. L. Reed.⁶⁸

WM. H. TAFT,
Secretary of War.

Order of the President, Apr. 1, 1905, reorganizing the Commission.

WHITE HOUSE,
Washington, D. C., April 1, 1905.

The practical result of the operations of the Isthmian Canal Commission appointed and acting under previous executive orders⁶⁹ has not been satisfactory, and requires a change in the personnel of the Commission and in the instructions for its guidance.⁷⁰

The Commission will hold quarterly sessions the first of January, April, July, and October of each year, at the office of the Governor on the Isthmus of Panama, and will continue each session as long as public business may require. Further notice of such meetings shall not be necessary to their regularity. The Commission may hold special sessions at the call of the Chairman. Four members shall constitute a quorum, and the action of such majority shall be the action of the Commission.

The Commission, under the supervision and direction of the Secretary of War and subject to the approval of the President, is charged with the general duty of the adoption of plans for the construction and maintenance of the canal and with the execution of the work of the same; with the purchase and delivery of supplies, machinery and necessary plant; the employment of the necessary officers, employes and laborers, and with the fixing of their salaries and wages; with the commercial operation of the

⁶⁶ See further provisions as to compensation in Executive Order of July 15, 1905, p. 44.

⁶⁷ This order reads as amended by Executive Order of Jan. 19, 1905, p. 35, substituting Dr. C. A. L. Reed for H. C. Warmouth, named in original order.

⁶⁸ Executive Order of Jan. 17, 1905, p. 37, reads as amended herein.

⁶⁹ Orders of Mar. 8, 1904, p. 19, and of May 9, 1904, p. 20.

⁷⁰ See order of Mar. 30, 1905, p. 38, being recommendation of the Secretary of War for reorganization of the Commission. See also Executive Order of Nov. 17, 1906, p. 55, reorganizing Commission, and Executive Order of Jan. 6, 1908, p. 72, in which the powers of the Isthmian Canal Commission and its Chairman are newly defined.

Panama Railroad Company and its steamship lines as common carriers; with the utilization of the railroad as a means of constructing the Canal; with the making of contracts for construction and excavation, and with all other matters incident and necessary to the building of a waterway across the Isthmus of Panama, as provided by the Act of Congress of June 28, 1902.

For convenience and to secure the uninterrupted course of the work, an Executive Committee⁷⁷ of not less than three members of the Commission shall be appointed by the Commission to act in place of the Commission during the intervals between the meetings of the Commission, and to report its doings in full to the Commission at the next regular meeting. A minute of every transaction of the Executive Committee shall be made, and one copy of the minutes shall be forwarded to the Secretary of War and another copy transmitted for the consideration of the Commission at its next meeting. Regular meetings of the Executive Committee shall be held at the office of the Governor on the Isthmus of Panama at 10 o'clock in the forenoon on each Monday and Wednesday of every week, and further notice of such meetings shall not be necessary to their legality. A majority of their number shall constitute a quorum for the transaction of business at such meetings. The action of such majority shall be the action of the Executive Committee.

For convenience of executing the work to be done, there shall be constituted three executive departments:

(a) The head of the first department shall be the Chairman of the Commission, who shall have direct and immediate charge of:

1. The fiscal affairs of the Commission;
2. The purchase and delivery of all materials and supplies;
3. The accounts, bookkeeping and audits;
4. The commercial operations in the United States of the Panama Railroad and steamship lines.

5. He shall have charge of the general concerns of the Commission, subject to the supervision and direction of the Secretary of War, and shall perform such other duties as may be placed upon him from time to time by the Secretary of War.

(b) The head of the second department shall be the Governor of the Zone, with the duties and powers indicated in the Executive Order of May 9, 1904, which includes, in general:

1. The administration and enforcement of law in the Zone;
2. All matters of sanitation within the Canal Zone, and also in the cities of Panama and Colon and the harbors, etc., so far as authorized by the treaty, the Executive Orders and Decrees of December 3, 1904, between the United States and the Republic of Panama relating thereto.
3. The custody of all supplies needed for sanitary purposes, and such construction necessary for sanitary purposes, as may be assigned to this Department by the Commission.
4. Such other duties as he may be charged with from time to time by the Secretary of War.
5. He shall reside on the Isthmus and devote his entire time to the service, except when granted leave of absence by the Secretary of War.

(c) The head of the third department shall be the Chief Engineer. He shall have full charge on the Isthmus:

1. Of all the actual work of construction carried on by the Commission on the Isthmus;
2. The custody of all supplies and plant of the Commission upon the Isthmus;
3. The practical operation of the railroad on the Isthmus, with the special view to its utilization in canal construction work.
4. He shall reside on the Isthmus and devote his entire time to the service, except when granted leave of absence by the Secretary of War.

APPOINTMENT OF OFFICERS.

All officers and employes shall be appointed and their salaries shall be fixed by the head of the department in which they are engaged. Their appointment and salary shall be subject to the approval either of the Commission or, if the Commission is not in session, of the Executive Committee. The employment of laborers, where the contract of employment is made in the United States or outside of the Isthmus, shall be negotiated and concluded by the Chairman of the Commission, subject to the ap-

⁷⁷ The executive committee abolished in the reorganization of Nov. 17, 1906.

approval of the Executive Committee. Where the employment of laborers is effected upon the Isthmus, it shall be conducted under the supervision of the Chief Engineer, subject to the approval of the Executive Committee.

CONTRACTS.

Contracts for the purchase of supplies or for construction involving an estimated expenditure exceeding \$10,000 shall only be made after due public advertisement in newspapers of general circulation, and shall be awarded to the lowest responsible bidder, except in case of emergency, when, with the approval of the Secretary of War, advertising may be dispensed with. In the making of contracts for supplies or construction involving an estimated expenditure of more than \$1,000 or less than \$10,000, competitive bids should be secured by invitation or advertisement whenever practicable.

As soon as practicable after the date of this order, the Isthmian Canal Commission, as hereafter constituted, shall hold a session in the city of Washington for the general purpose of reorganization under this order, and for the special purpose of fixing the number and character of officers and employes to serve in the city of Washington in the work of the Commission.⁷² The Commission is especially charged with the duty of maintaining a complete system of accounts on the Isthmus, which shall be duplicated in Washington, so that there may always be in Washington the proper means of informing the President, the Secretary of War and the Congress of the amount of work done, the cost of the same, the amount of money available, the amount of money expended, and the general financial condition of the enterprise.⁷³

BOARD OF CONSULTING ENGINEERS.

There will hereafter be appointed by the President, nine civil engineers of the highest standing, having experience in works of canal construction and hydraulics, to constitute a Board of Consulting Engineers,⁷⁴ to which will be submitted by the Isthmian Canal Commission, for its consideration and advice, the important engineering questions arising in the selection of the best plan for the construction of the canal. The recommendation of the Board of Consulting Engineers shall be considered by the Isthmian Canal Commission, and, with the recommendations of the Commission, shall finally be submitted, through the Secretary of War, to the President for his decision.

REPORTS.

The executive officers of the Commission shall make duplicate reports upon the work and operation of their respective departments to the Secretary of War and the Isthmian Canal Commission from time to time, and as often as may be required by the Secretary of War or the Chairman of the Commission.

The Secretary of War will make to the President a report at least annually, and as often as he may deem advisable or the President may require.

All executive orders relating to the subject of the Panama Canal, except so far as they may be inconsistent with the present order, remain in force.

Theodore P. Shonts is hereby appointed a member of the Isthmian Canal Commission, and its Chairman; Charles E. Magoon is hereby appointed a member of the Commission and Governor of the Canal Zone; the appointment as Governor shall take effect upon the date of his arrival on the Isthmus, and the resignation of the present incumbent of said office shall thereupon take effect; John F. Wallace is hereby appointed member of the Commission and Chief Engineer; Rear-Admiral Mordecai T. Endicott, U. S. N.; Brigadier-General Peter C. Hains, U. S. A. (retired); Colonel Oswald H. Ernst, Corps of Engineers, U. S. A., and Benjamin M. Harrod are hereby appointed members of the Isthmian Canal Commission.

THEODORE ROOSEVELT.

⁷² See order containing action of the Commission in connection with its reorganization, Apr. 3, 1905, p. 40 hereof.

⁷³ Executive Order of Nov. 5, 1905 (effective July 1, 1905) p. 44, provided rules and regulations for an accounting system of the Government of the Canal Zone.

⁷⁴ Appointed by Executive Order of June 24, 1905, p. 43. See Act of Congress of June 29, 1906 (T. & A. 39), adopting the lock type of canal as proposed by the minority of the board.

Letter of the Secretary of War, Mar. 30, 1905, recommending reorganization of the Commission.

WAR DEPARTMENT,
Washington, D. C., March 30, 1905.

MR. PRESIDENT: In the matter of the reorganization of the machine by which the Panama Canal is to be built, I beg first to call your attention to the extreme importance of fixing a definite plan with respect to which you may feel reasonable certainty, first, that it can be practically executed and will result in a navigable canal, and, second, that the navigable canal will be the one best adapted to the demands which may be made upon it by the commerce of the world.

The Act of Congress evidently contemplates a canal with locks, the cost of which shall be in the neighborhood of \$200,000,000 including the money already expended. It is quite within the bounds of possibility that the best form of canal will be a sea-level canal, with a tidal lock only, at one end, and that the cost of it may exceed the \$200,000,000 in the mind of Congress by at least \$100,000,000 more.

The work of the engineering department of the present Commission has been largely devoted to obtaining the data upon which the plan of the canal must be determined. These data include topographical measurements, borings, the character of the soil, the flow of water in the rivers—all stated with sufficient exactness to secure the closest calculations by experienced engineers, though not on the ground. It is probable that within the next few months these data will have been so fully ascertained by the Chief Engineer, Mr. Wallace, and his assistants that they may be submitted to a board of engineers of the highest standing for recommendation as to the best plan upon which to proceed with the work.

It also has been made apparent, by the reports of Mr. Wallace and the Commission, that whatever plan is likely to be adopted, work of excavation and construction which would have to be done under any plan may proceed without waste of energy for a period quite long enough to enable you to decide which is the best plan.

I suggest, therefore, that the first work to be done is the appointment of an advisory board of engineers, say seven or nine in number, to be selected from the engineers having especial knowledge of hydraulic engineering and canal construction, to whom shall be submitted all possible information with respect to the projected Panama Canal, both that obtained by the French engineers before our purchase of the plant, and the data obtained by the Chief Engineer of the present Canal Commission, together with all projects suggested for the solution of the problem which the Canal Commission deem reasonably possible or practicable; that this advisory board be invited to Washington for the purpose of agreeing upon its recommendations in the premises, and that, if possible, such recommendations be made before the regular meeting of Congress in December; that the recommendations be submitted to the Canal Commission as then constituted for its approval or modification, and, with the recommendations of the Canal Commission, be submitted to the President for his action and transmission to Congress. As already suggested, this work of securing the best plan and its approval by Congress need not delay in any way the preliminary work adapted to any possible plan, or the highly critical work of sanitation, the extreme importance of which you have already emphasized in your previous instructions to the Canal Commission.

It is conceded, even by its own members, that the present commission has not so developed itself into an executive body as to give hope that it may be used successfully as an instrumentality for carrying on the immense executive burden involved in the construction of the canal, and it remains for the President, in the failure of Congress to act, to reorganize the Commission, both by change in personnel and by certain instructions as to its internal procedure and distribution of powers and authority, to secure greater rapidity and efficiency in the doing of the work.

It is not to be supposed that Congress intended that the Commission was personally to do the work, or to come nearer to the direct agencies in doing the work than the directory of a railroad comes to the construction of railroad work, and we may assume, therefore, that it was quite within the Congressional intention that the Commission might, for convenience and rapidity of action, after formulating the general plan of work, delegate to a committee or committees the doing of the work in detail, the result to be reported subsequently, of course, to the full Commission. The Commission should, therefore, appoint an Executive Committee, to be constituted and empowered as hereafter stated.

The actual executive work must be divided by the Commission into departments. One department would naturally be the Political Department; that is, the control of the Zone, over which there should be an administrator or governor, and to secure harmony of action, the wise policy is that already followed of appointing a member of

the Commission to be Governor. This department should include, as it does now, the Bureau of Sanitation, because the latter involves policing the Zone and the two cities of Colon and Panama. Another department should be the Engineering Department, or department of construction, under which the work is to be organized and actually done. It should include the custody of supplies and the care of plant, and the practical operation of the railroad on the Isthmus, with the special view to its utilization in canal construction. The Chief Engineer must be the head of this, and is so important a factor in the whole enterprise that he should be given the powers and dignity of a member of the Commission also. Another, and in many respects the most important department, is that which embraces the functions of financing the operations of the Commission, of purchasing the supplies, of the accounts and audits, the commercial operations of the Panama Railroad Company and the steamship lines, the general oversight of the work and the duty of reporting the progress of the same through the Secretary of War to the President. The head of this department should be the Chairman of the Commission. All subordinates in departments should be appointed by the heads thereof under those provisions of the civil service law which may have been made applicable, and their salaries fixed by same authority, subject to the approval of the Commission, or, in the intervals between the meetings of the Commission, by the Executive Committee.

An important change from the present condition of affairs should be the transfer of the headquarters of the Commission from Washington to the Isthmus of Panama, where the work is to be done. No meeting of the Commission or Executive Committee should be held out of the Isthmus except by express authority of the Secretary of War. The attention of all engaged in the enterprise will thus be fixed on the work. With the general authority of the Executive Committee, it will be entirely possible for the work to proceed unlied without more frequent meetings of the Commission than once a quarter. The Executive Committee should have power to act while the commission is not in session in the purchase of all supplies, to confirm all officers and employes except heads of departments, and to fix their salaries, and to make contracts for construction. The Executive Committee thus appointed should keep accurate minutes of its transactions and submit them to the Secretary of War and the Commission, which, having found the same to be within the authority of the committee and executed, shall ratify and confirm them, or, if unexecuted, may revise them. Contracts for the purchase of supplies or of construction, the estimated cost of which may exceed \$10,000 should be let after due public advertisement, upon plans and specifications approved by the Executive Committee or by the Commission, unless with the approval of the Secretary of War, on grounds of an emergency in a special case, such advertisement be dispensed with. In all other purchases or contract involving the expenditure of more than \$1,000, real competition should be invited when practicable. By means of an executive committee constantly in session the delays incident to awaiting the decision of a large body like the Commission may be avoided, while its examination of the doings of the Executive Committee every three months, and its power to reverse unauthorized acts and to revise everything not completely executed, will insure the conservation sought by the establishment of the larger board.

The change of headquarters and power from Washington to the Isthmus will doubtless require a radical change in the office of the Commission in Washington. I am quite sure that greater economy and more satisfactory methods of accounting can be secured than now exist. Machinery for purchase of supplies and a force sufficient to maintain a duplicate set of accounts and the necessary correspondence must, of course, be maintained in Washington, but very little else is needed. But these changes may be safely left to the Commission, and the Executive Committee as newly constituted.

I beg to submit herewith the resignations of all the present Canal Commission, to take effect at your pleasure.

I respectfully recommend the appointment of a new Commission and a designation of the Chairman of the Commission, the Governor of the Zone, and the Chief Engineer, and the issuing of an executive order embodying the recommendations herein.⁷⁵

Respectfully yours,

WM. H. TAFT,
Secretary of War.

The PRESIDENT.

⁷⁵ Covered by Executive Order of Apr. 1, 1905, p. 35.

Order of the Secretary of War, Apr. 3, 1905, fixing compensation and allowances of Commissioners.

By direction of the President, and in accordance with his order of April 1, 1905, each of the seven members of the Isthmian Canal Commission shall be allowed and paid a salary of \$7,500 per annum as such member. In addition to their several salaries as members of the Commission, the Chairman of the Commission shall be allowed and paid a salary of \$22,500 per annum; the Chief Engineer shall be allowed and paid a salary of \$17,500 per annum, and the Governor of the Zone shall be allowed and paid a salary of \$10,000, and each of said officers shall be allowed the use of a furnished dwelling house on the Isthmus; the members of the Commission other than the heads of the above-named departments will be allowed and paid their actual and necessary expenses while in attendance at the regularly or specially called meetings of the Commission held on the Isthmus, and also their actual traveling expenses to and from the meetings of the Commission on the Isthmus or at Washington, as the case may be; and the three heads of the departments above mentioned shall be allowed and paid their expenses of travel while on the business of the Commission.

The present Governor of the Zone, Major-General George W. Davis, will be allowed and paid up to the date when his resignation as Governor becomes effective, and notwithstanding his resignation as a member of the Commission, compensation at the same rate as he is now receiving as a member of the Commission and as Governor of the Zone, together with his actual and necessary traveling expenses to his home in the United States.

WM. H. TAFT.
Secretary of War.

April 3, 1905.

Action of Commission, Apr. 3, 1905, in connection with its reorganization.⁷⁶

At a meeting of the Commission, as reorganized, held April 3, 1905, at its office in Washington, consideration was given as to the best method of securing results in construction and of making more effective the administration of the work of the Commission; and after consideration, the Commission, upon its own judgment and by its own conclusions, duly and unanimously adopted the following resolutions:

Resolved:

1. The Commission shall hold quarterly sessions the first day of January, April, July, and October of each year, at the office of the Governor on the Isthmus of Panama, and shall continue each session as long as public business may require. Further notice of such meetings shall not be necessary to their regularity. The Commission may hold special sessions at the call of the Chairman. Four members shall constitute a quorum, and the action of such majority shall be the action of the Commission. A copy of the minutes of each meeting of the Commission shall be immediately forwarded to the Secretary of War.

2. For convenience, and to secure the uninterrupted course of the work, an Executive Committee of three members of the Commission is hereby appointed by the Commission to act in place of the Commission, during the intervals between the meetings of the Commission, and to report its doings in full to the Commission at the next regular meeting. A minute of every transaction of the Executive Committee shall be made, and one copy of the minutes shall be immediately forwarded to the Secretary of War and another transmitted for the consideration of the Commission at its next meeting. Regular meetings of the Executive Committee shall be held at the office of the Governor on the Isthmus of Panama at 10 o'clock in the forenoon on each Monday and Wednesday of every week, and further notice of such meetings shall not be necessary to their legality. A majority of their number shall constitute a quorum for the transaction of business at such meetings. The action of such majority shall be the action of the Executive Committee.

On motion, the following Commissioners were appointed members of the Executive Committee—i. e., Theodore P. Shonts, Charles E. Magoon, and John F. Wallace.

3. For convenience of executing the work to be done, there shall be constituted three executive departments:

(a) The head of the first department shall be the Chairman of the Commission, who shall have direct and immediate charge of:

1. The fiscal affairs of the Commission.
2. The purchase and delivery of all materials and supplies.
3. The accounts, bookkeeping and audits.

4. The commercial operations in the United States of the Panama Railroad and steamship lines.

⁷⁶ Reorganization provided by Executive Order of Apr. 1, 1905, p. 35.

5. He shall have charge of the general concerns of the Commission, subject to the supervision and direction of the Secretary of War, and shall perform such other duties as may be placed upon him from time to time by the Secretary of War.

(b) The head of the second department shall be the Governor of the Zone, with the duties and powers indicated in the Executive Order of May 9, 1904, which includes, in general:

1. The administration and enforcement of law in the Zone.

2. All matters of sanitation within the Canal Zone, and also in the cities of Panama and Colon and the harbors, etc., so far as authorized by the treaty and the Executive Orders and Decree of December 3, 1904, between the United States and the Republic of Panama relating thereto.

3. The custody of all supplies needed for sanitary purposes, and such construction necessary for sanitary purposes as may be assigned to this department by the Commission.

4. Such other duties as he may be charged with from time to time by the Secretary of War.

5. He shall reside on the Isthmus, and devote his entire time to the service, except when granted leave of absence by the Secretary of War.

(c) The head of the third department shall be the Chief Engineer. He shall have full charge on the Isthmus:

1. Of all the actual work of construction carried on by the Commission on the Isthmus.

2. The custody of all the supplies and plant of the Commission upon the Isthmus other than all supplies needed for sanitary purposes.

3. The practical operation of the railroad on the Isthmus with the special view to its utilization in canal construction work.

4. He shall reside on the Isthmus, and devote his entire time to the service, except when granted leave of absence by the Secretary of War.

4. All officers and employes shall be appointed and their salaries shall be fixed by the head of the department in which they are engaged. Their appointment and salary shall be subject to the approval either of the Commission or, if the Commission is not in session, of the Executive Committee. The employment of laborers, where the contract of employment is made in the United States or outside of the Isthmus, shall be negotiated and concluded by the Chairman of the Commission, subject to the approval of the Executive Committee. Where the employment of laborers is effected upon the Isthmus, it shall be conducted under the supervision of the Chief Engineer, subject to the approval of the Executive Committee. The Commission shall maintain a complete system of accounts on the Isthmus, which shall be duplicated in Washington, so that there may always be in Washington the proper means of informing the President, the Secretary of War, and the Congress of the amount of work done, the cost of the same, the amount of money available, the amount of money expended, and the general financial condition of the enterprise.

5. Contracts for the purchase of supplies or for construction involving an estimated expenditure exceeding \$10,000 shall only be made after due public advertisement in newspapers of general circulation, and shall be awarded to the lowest responsible bidder, except in case of emergency, when, with the approval of the Secretary of War, advertising may be dispensed with. In the making of contracts for supplies or construction involving an estimated expenditure of more than \$1,000 and less than \$10,000, competitive bids should be secured by invitation or advertisement whenever practicable.

6. The executive officers of the Commission shall make duplicate reports upon the work and operation of their respective departments to the Secretary of War and the Isthmian Canal Commission from time to time and as often as may be required by the Secretary of War or the Chairman of the Commission.

Upon further motion it was duly and unanimously

Resolved, That the accounts and financial records and affairs of this Commission as recently constituted be examined, audited and reported upon by auditors engaged independently of the existing office force, and that for this purpose the Public Accountants' Corporation, now in the service of the Commission, be employed to make such examination, audit and report at the earliest practicable date.

Resolved, further, That the books of account of the Commission at the Panama and Washington offices be promptly balanced as of this date, and that the books, vouchers, and records of the Commission up to this date be carefully identified and preserved for reference in the future, but that the transactions of the commission as newly constituted be not entered therein, but be entered in an entirely new set of books of account, and that the records thereof be separately kept and preserved, so

that the proceedings of the Commission as constituted can be readily and conveniently distinguished and accounted for independently of each administration; and the Secretary is directed to transmit copies of this resolution to the heads of departments for their information and guidance.

Resolved, further, That the Chairman be and he is hereby authorized and directed to cause to be inaugurated a system of bookkeeping, accounting and reports by which most conveniently, accurately and intelligibly the operations of the Commission can be noted and considered, both as respects this Commission itself and the authorities to which it is directly accountable—the President, the Congress, and the Secretary of War; and for this purpose he is authorized to employ such person or persons and incur such expenses as he may deem advisable to accomplish the purpose.

The Commission considered the subject of Office Organization in Washington, in view of the resolutions adopted at this meeting, and the concentration of practical work more largely upon the Isthmus.

Thereupon it was duly and unanimously

Resolved, (1) That, so far as practicable, the work of the Commission be concentrated on the Isthmus of Panama, and that the Washington office be conducted upon this basis; and that the Commission promptly proceed in the examination and consideration of the present organization and personnel thereof in the Washington office for action of the Commission in due course.

Resolved, (2) That, for greater effectiveness in the administrative work of the Commission, there is hereby established at Washington an "Office of Administration" for the conduct of such operations as the Commission may, from time to time, determine to there conduct, and which shall include:

Records concerning all purchases and delivery of material and supplies (including commissary stores).

Fiscal affairs.

General books of account, containing details of all transactions of the Commission in the United States and adequate summary of all other accounts on the Isthmus. Duplicate accounts in summary being regularly transmitted from the Isthmus to the Washington office; vouchers and contracts to be taken in sufficient number in original to at all times furnish to the office at Washington a complete and original set thereof.

General auditing and accounting.

Correspondence of the Commission in the United States.

Orders and directions from the President and the Secretary of War.

Engineering reports and plans.

Reports from officials and committees of the Commission.

Reports of the Commission and its officers and committees to the Secretary of War, the President, and Congress.

Order of the Secretary of War, Apr. 18, 1905, amending order relative to members of Joint Commission.

WAR DEPARTMENT,
Washington, April 18, 1905.

By order of the President, Dr. H. R. Carter, Assistant Chief Sanitary Officer, and Mr. Eugene C. Tobey, Chief of the Accounts and Material Departments, are hereby appointed as members of the joint commission provided for by Articles VI and XV of the Canal Convention of February 26, 1904, vice Mr. Thomas W. Gaff and Dr. C. A. L. Reed resigned.

WM. H. TAFT,
Secretary of War.

Order of the Secretary of War, Apr. 24, 1905, authorizing appropriation from Canal Zone Government funds for contingent expenses.

WAR DEPARTMENT,
Washington, April 24, 1905.

There is hereby appropriated from the funds of the Government of the Canal Zone, Isthmus of Panama, deposited in the Treasury of said Government, the sum of Five Hundred Dollars (\$500) gold, to be expended upon the order of the Governor of the Canal Zone in payment of contingent expenses of said Government. The Government shall report the disbursements made from this fund to the Secretary of War.

WM. H. TAFT,
Secretary of War.

Order of the Secretary of War, May 31, 1905, amending order fixing compensation and allowances of Commissioners.

WAR DEPARTMENT,
Washington, May 31, 1905.

By direction of the President, and amendatory to the order of the Secretary of War of April 3, 1905, fixing the salaries and compensation of the members of the Isthmian Canal Commission, the Governor of the Zone and the Chief Engineer, members of the Executive Committee of the Isthmian Canal Commission, will be allowed and paid their actual and necessary expenses while away from the Isthmus of Panama on the official business of the Commission.

The Chairman until further orders will be allowed and paid his actual and necessary expenses while away from Washington on official business.

This ruling shall be effective as of the date of the original order, April 3, 1905, so amended.

WM. H. TAFT,
Secretary of War.

Order of the President, June 8, 1905, appointing S. L. Lupton, F. R. Parke, E. S. Rockwell, William K. West, and Paul C. Norris to positions under the Commission.

The Provisions of the Civil Service rules are waived to permit the following appointments in the Isthmian Canal Service:

Silas W. Lupton as assistant purchasing and shipping agent at New Orleans, Louisiana, from March 1, 1905; Fred R. Parke as assistant shipping agent at Washington, D. C., from March 27, 1905; E. S. Rockwell as auditing clerk in the General Auditor's Office at Washington, D. C.; William K. West as accountant in the General Auditor's Office at Washington, D. C., by transfer from the Auditor's Office on the Isthmus of Panama; Paul C. Norris as clerk, Office of Administration at Washington, D. C., by transfer from the Engineering Department on the Isthmus of Panama.

T. ROOSEVELT.

THE WHITE HOUSE, June 8, 1905.

Order of the President, June 24, 1905, appointing board of consulting engineers.⁷⁷

It is hereby ordered that a Board of Consulting Engineers consisting of:

General George W. Davis,

Mr. Alfred Noble,

Mr. William Barclay Parsons,

Mr. William H. Burr,

General Henry L. Abbot,

Mr. Frederick P. Stearns,

Mr. Joseph Ripley,

Mr. Herman Schussler,

Mr. Isham Randolph,

Mr. Henry Hunter, nominated by the British Government,

Herr Eugen Tincanzer, nominated by the German Government,

M. — Guerard, nominated by the French Government,

M. — Quellenec, Consulting Engineer, Suez Canal,

and one engineer to be designated by the Government of The Netherlands, shall convene in the City of Washington, at the rooms of the Isthmian Canal Commission, on the first day of September, nineteen hundred and five, for the purpose of considering the various plans proposed to and by the Isthmian Canal Commission for the construction of a Canal across the Isthmus of Panama between Cristobal and La Boca; and that the deliberations of the Board of Consulting Engineers shall continue as long as they may deem it necessary and wise before they make their report to the Commission.

The Isthmian Canal Commission is directed to have all the proposed plans in such detailed form, with maps, surveys, and other documents sufficient to enable the Consulting Engineers to consider and decide the questions presented to them. Should it be deemed necessary by the members of the Consulting Board, they may visit the Isthmus before making their final report. If there is a difference of opinion between the members of the Consulting Board, minority reports are requested.

⁷⁷ Provided by Executive Order of Apr. 1, 1905, p. 35 (reorganization of the Commission). Minority report, proposing a lock type of canal, was adopted by Act of Congress of June 29, 1906 (T. & A. 39).

General George W. Davis is hereby designated as Chairman of the Board of Consulting Engineers. Instructions more detailed will be given in time to be presented to the Board when it first convenes on the first of September.⁷⁸

The Chairman is charged with the duty of communicating to the other members of the board this order and the other details that may be necessary.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *June 24, 1905.*

Order of the President, July 15, 1905, prescribing compensation of Joseph L. Bristow.

It is ordered that Mr. Joseph L. Bristow, appointed Special Panama Railroad Commissioner by Executive Order dated January 13, 1905,⁷⁹ be allowed until August 15, 1905, to complete the details in connection with his report, and will be paid his actual expenses and \$15 per day up to that time. In addition he will be allowed an extra compensation of \$2,500. The Isthmian Canal Commission is directed to provide the funds needed in the execution of this order.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *July 15, 1905.*

Order of the President, Aug. 31, 1905, prescribing compensation of members of the board of consulting engineers.

It is ordered that each member of the Advisory Board of Engineers⁸⁰ upon plans of the Panama Canal shall be allowed \$5,000 payable upon the completion of the report⁸¹ of the Board. In addition thereto he shall when on duty with the Board be allowed \$15 per day for personal expenses from the date of leaving his home until his return thereto including Sundays and holidays. He shall also be allowed the actual cost of transportation incurred by him in travel on duty in connection with the Board to include cost of ticket by railway or steamer, sleeping or parlor car accommodations, baggage transfer, cabs and portage.

It is further ordered that the allowances of \$5,000 to General Davis and General Abbot shall be increased by the amount of their retired pay for the time during which they are employed upon the work of the Board, it being my intention that those members of the Board shall receive the same compensation for this work as the other members and this increase being made to provide for the usual deduction of retired officers' pay.

THEODORE ROOSEVELT.

OYSTER BAY, *August 31, 1905.*

Order of the President, Sept. 8, 1905, amending civil-service rules relating to removal of employees.

The Procedure required by Civil-Service Rule XII, clause 2, need not be observed in removals of officers or employees serving on the Isthmus of Panama. In such removals, however, the reasons therefor shall be made a part of the records of the Office of Administration, Isthmian Canal Affairs, and the Civil Service Commission shall upon request be furnished with copies or the originals thereof.

T. ROOSEVELT.

THE WHITE HOUSE, *September 8, 1905.*

An order reciting Executive Order of the President of the United States, requiring an accounting system for the Government of the Canal Zone, Isthmus of Panama, prescribed with the concurrence and approval of the Secretary of War first had, rules and instructions relative to the accounting system of the Government of the Canal Zone, Isthmus of Panama.

Whereas, The President of the United States upon April 1, 1905, signed the following Executive Order:

"THE WHITE HOUSE,
"Washington, D. C., *April 1, 1905.*

"The Commission is especially charged with the duty of maintaining a complete system of accounts on the Isthmus, which shall be duplicated in Washington, so that

⁷⁸ Compensation fixed by Executive Order of Aug. 31, 1905, p. 44, as amended by orders of Nov. 25, 1905, p. 50, and of Feb. 19, 1906, p. 51.

⁷⁹ See notes under that order, p. 34.

⁸⁰ Appointed by Executive Order of June 24, 1905, p. 43. See notes thereunder.

⁸¹ Word "Report" changed to "work" by Executive Order of Nov. 25, 1905, p. 50.

there may always be in Washington the proper means of informing the President, the Secretary of War, and the Congress, of the amount of work done, the cost of same, the amount of money available, the amount of money expended, and the general financial condition of the enterprise."⁸²

Now, therefore, by the authority of the President of the United States, and with the concurrence and approval of the Secretary of War first had, be it ordered by the Isthmian Canal Commission that:

SECTION 1. The following rules and regulations shall apply to the accounting system of the Government of the Canal Zone, and shall take effect and be in force July 1, 1905.

RULES AND INSTRUCTIONS RELATIVE TO THE ACCOUNTING SYSTEM OF THE GOVERNMENT OF THE CANAL ZONE, ISTHMUS OF PANAMA.

THE GENERAL AUDITOR.⁸³

RULE 1. Pursuant to the provisions of section 10, Act No. 8, Laws of the Canal Zone, the General Auditor for the Isthmian Canal Commission and his duly authorized deputies shall receive, examine and settle all accounts pertaining to the revenues and receipts derived from the Canal Zone and expenditures paid therefrom, and certify the balances thereon to the Governor of the Canal Zone, and shall preserve the accounts and vouchers after settlement.

THE LOCAL AUDITOR.

RULE 2. In accordance with the Circular No. 15 of the Executive Committee of this Commission, and in further pursuance of section 10, Act No. 8,⁸⁴ Laws of the Canal Zone, the Local Auditor in charge of the accounts of the Isthmian Canal Commission, located on the Isthmus of Panama, shall discharge the duties and perform the services of the Auditor for the Government of the Canal Zone, and the acts of the Local Auditor, consistent with the prescribed regulations of the General Auditor, shall be binding upon the General Auditor until revoked or disapproved by overt act of the General Auditor.

THE CHIEF CLERK.

RULE 3. There shall be appointed by the Auditor, with the approval of the Isthmian Canal Commission, a Chief Clerk, who shall sign in the name of the Auditor such official papers as the Auditor may designate, and perform such other duties as the Auditor may prescribe. He shall have charge of the Bureau as Acting Auditor in case of death, resignation, sickness or other absence of the Auditor until his successor is appointed.

ACCOUNTS OF TREASURY DEPOSITS AND WITHDRAWALS.

RULE 4. The expenditure of moneys received through Canal Zone revenue shall be made on properly prepared and approved vouchers, approved for payment to be made by the Governor.

RULE 5. All receipts issued by the Treasurer for deposits with the Treasurer shall be in duplicate and shall be countersigned by the Auditor. When so countersigned, one receipt in every case shall be retained in the office of the Auditor, and the other shall be delivered or transmitted by the Auditor to the person by whom the payment was made, after the same has been duly registered in all its particulars under proper headings.

RULE 6. The receipts retained by the Auditor will constitute the necessary check in his examination and settlement of the accounts of the Treasurer as the authority for charging the Treasurer with moneys received, and such receipts will be filed in the office of the Auditor with the accounts in which the credit is taken.

RULE 7. Vouchers paid by the Treasurer with the proper evidence of payment—which shall be the proper receipt of the payee thereon—shall constitute the vouchers upon which the Treasurer shall receive credit for payments made, and after the settlement of the accounts of the Treasurer by the Auditor, the vouchers shall be filed therewith.

⁸² p. 35.

⁸³ General and local auditors abolished by Executive Order of Aug. 15, 1907, p. 68. creating Disbursing Officer and Examiner of Accounts.

⁸⁴ L. C. Z. 61.

RULE 8. The Auditor shall prescribe the forms for keeping and rendering all accounts subject to his examination and settlement, and issue all necessary instructions to the officers and agents rendering such accounts.

RULE 9. And in case any officer or agent whose duty it is to collect and receive moneys arising from the revenues of the Canal Zone, of whatever kind, and to make disbursements of such moneys for any purpose, shall fail to render complete accounts of such receipts and disbursements to the Auditor, or to transmit the same within five days after the expiration of the month to which they pertain, or shall neglect to render the same when requested so to do, it shall be the duty of the Auditor forthwith to report such case to the Governor for proper action.

RULE 10. There shall be in the office of the Auditor a Division of Bookkeeping in which shall be kept proper books of entry and ledgers for recording the general accounts of the receipts and expenditures pertaining to the revenues of the Zone, and the personal accounts of agents and officers authorized to collect the same and the disbursement of moneys by the Treasurer upon vouchers as herein provided, and of all other accounts or claims allowed and certified by the Auditor, including accounts of appropriation. The system of bookkeeping adopted by the Auditor shall be a double-entry system.

RULE 11. The receipts issued by the Treasurer for moneys received on deposit, before being countersigned by the Auditor, shall be entered in a Ledger of Treasury Receipts as funds deposited, as Postal Receipts, Internal Revenue Receipts, Miscellaneous Receipts, or as Payments or Repayments to appropriations, or any subheading of these classes of deposits as may seem proper, respectively, and in making such entries from the Treasury receipts, the number and date of the receipt and the name and official designation, if any, of the person by whom the deposit was made, shall be noted. These funds shall thereupon be treated as one fund, known as the general fund from which all appropriations from "moneys in the Treasury not otherwise appropriated" shall be made.

RULE 12. All vouchers shall be charged against the available fund and against the account of the services and appropriation for which such voucher is drawn, and in making such debit entries the number and date of the voucher and the name of the person, with official designation, if any, to whom paid, shall be noted. The Auditor shall so keep his record as to be able to show at any time the amount of money disbursed on account of any appropriation, as shown by the voucher issued and by the accounts as audited.

REVENUE ACCOUNTS.

RULE 13. All officers or agents authorized to receive and collect moneys arising from the revenues of the Canal Zone, of whatsoever kind, shall be required to pay the full amounts received and collected by them respectively, to the Treasurer, and to render to the Auditor monthly accounts therefor within five days after the expiration of the month to which they pertain, accompanied by proper itemized and certified statements and returns of the revenues collected, showing when, by whom and on what account collected.

RULE 14. In the rendition of such revenue accounts the officers or agents will charge themselves with all revenues received and collected during the period covered by the account, and take credit for the amounts paid to the Treasurer as shown by the duplicate receipts in their possession and countersigned by the Auditor, the number and date of such receipts being noted in the entries of amounts paid to the Treasurer. These duplicate receipts will be retained by the officer or agent claiming credit therefor.

RULE 15. In the audit of such revenue accounts the Auditor shall compare and check the Treasury receipts of record in his office with the corresponding entries in the account of the officer or agent as rendered, making proper notation in the Treasurer's account of the counter credit to the depositor.

RULE 16. All revenue accounts shall be rendered and kept separately under the appropriate funds or heads of account to which they respectively pertain; that is, all revenues arising in the Department of Post Offices under the head of Postal Receipts; all revenues derived from internal taxes and duties, shall be entered under the head of Internal Revenue Receipts; all revenues from other sources under the head of Miscellaneous Receipts; and all refunds for overpayment under the heading of Repayments.

RULE 17. All officers or agents of the Government of the Canal Zone whose duty it is to collect and receive revenues or other moneys and deposit the same in the Treasury shall make deposits or remittances of same, regardless of the amount received or collected, as often as once a month, where safe and possible, and if there is no oppor-

tunity for such remittance within the month, as soon as possible thereafter, and a deposit shall be made in every case as soon as possible where the revenues or moneys in the hands of any officer or agent amount to two hundred dollars, United States currency, or its equivalent in local currency; *Provided*, That no such officer or agent shall be required to make a deposit oftener than once a day, and *provided further*, That postmasters who are authorized to issue and pay money orders shall remit by registered mail to their designated depository all sums received by them from sale of money orders in excess of their authorized reserve or the amount of the advices of unpaid orders on hand less than two weeks, such remittances to be made with each and every mail dispatch from their respective offices which may convey mail to the Treasurer.⁸⁵

RULE 18. Claims of officers or agents whose duty it is to collect or account for public money, for losses of funds in transit, by fire, burglary or other unavoidable casualty, shall be submitted to the Auditor within one month after such loss occurs, with all the evidence in the case, immediate advice of the fact to be sent to the Auditor pending forwarding of complete report. If the Auditor shall find that the said funds were properly in the hands of such officer or agent, or properly remitted, or that the loss resulted through no fault of said officer or agent, he may *with the written consent of the Governor*, credit the account of such officer with the loss; *Provided*, That in no case shall a credit in excess of one thousand dollars be given in this manner. Claims for losses in excess of one thousand dollars shall be submitted through the Auditor and Governor for relief by action of the Isthmian Canal Commission.

RULE 19. The Auditor may with the written consent of the Governor mitigate, remit, remove, compromise, release or discharge any liability, in whole or in part, to the Government, in any matter before him, when, in his judgment, the interests of the Government seem to require it, subject to such restrictions as may be provided by law.

RULE 20. The Auditor shall supervise the collection of all debts due the Government of the Canal Zone through the usual civil or judiciary channels, and institute all such measures as may be authorized by law to enforce the payment of such debts and recovery of all amounts found to be due said Government in connection with his settlement and adjustment of accounts.

MONEY ORDER ACCOUNTS.

RULE 21. The Auditor shall keep the accounts of the Money Order Business separately, and in such manner as to show the number and amount of money orders issued at each post office, and the number and amount paid, and the fees received. The Auditor shall certify quarterly the receipts as fees from the sale of money orders and require the same to be deposited with the Treasurer of the Zone as postal receipts. Losses of money order funds in transit, by fire, burglary, or other unavoidable casualty for which credit may be given shall be deducted from the fees collected before the quarterly transfer to the depository of such fees as postal receipts.

RULE 22. Transfers of money from postal receipts to money order funds may be made by the postmaster, under such regulations as the Auditor may prescribe when his receipts from the sale of money orders are insufficient to pay the money orders drawn upon his office. Credit for such transfers of postal funds to money order funds will be taken in the monthly postal account of the postmaster. At the close of each quarter all such transfers of funds from postal to money order accounts shall be deposited by the Director of Posts, or other officer in charge of postal affairs, with the Treasurer of the Zone, as revenues for the service of the Division of Posts upon certification of the Auditor of the amount of such funds to be so deposited.

RULE 22½. The Treasurer of the Canal Zone shall be required to keep an account of money order funds deposited by postmasters with him to the credit of the Director of Posts, subject to his official draft, when countersigned by the Local Auditor, drawn for needful advances to postmasters of funds with which to pay money orders lawfully drawn upon them, and it shall be the duty of all postmasters to make prompt remittances to the Treasurer of the Zone of all money order funds including all fees thereon, in their hands, not needed to meet drafts of which they have notice, the same to be deposited to the credit of the Director of Posts as money order funds.

JURISDICTION OF THE AUDITOR.

RULE 23. The jurisdiction of the Auditor for the Canal Zone over accounts and all vouchers pertaining thereto, shall be exclusive. His decision shall be final and conclusive upon administrative branches of the Government, except that appeals thereon

⁸⁵ Amended by Executive Order of July 27, 1906, p. 54.

may be taken by the party aggrieved or the head of the department concerned within one year, in the manner prescribed in Rule 36. The Auditor for the Zone shall, except as herein otherwise provided, have like authority as that conferred by law upon the several auditors of the United States and the Comptroller of the United States Treasury, and is authorized to communicate directly with any person or officer having claims before him for settlement, or with any officer or department having official relations with his office.

REPORTS.

RULE 24. The Auditor shall forward to the Secretary of War, not later than ten days after the expiration of each month, a full and complete report of all money received by the Treasurer during the preceding month, as shown by the entries made from the Treasury receipts retained in the Auditor's office; a statement of all payment of moneys made on vouchers during the preceding month, and an itemized statement of all other accounts covering receipts, disbursements, and expenditures audited during the preceding month.

DEPOSITARY OF CANAL ZONE.

RULE 25. The Treasurer of the Canal Zone⁸⁶ shall keep a properly detailed account in permanent books of record of moneys received by him, which shall be entered under appropriate heads, with the name of the agents, officers and persons from whom received, and the dates of receipt.

RULE 26. All moneys received by the Treasurer shall be credited, respectively, as deposits on account of post office receipts, as deposits on account of internal revenue receipts, on account of miscellaneous receipts, in accordance with the invoice accompanying the fund, which in all cases shall indicate the proper heading or classification under which the fund shall be credited.

RULE 27. The accounts of the Treasurer and of all officers and agents of the Canal Zone shall be kept in the money in which it is received and disbursed, but in all reports to the Secretary of War the amounts therein shall be stated in the money of the United States at the authorized rate of conversion.

RULE 28. The Treasurer shall issue receipts in duplicate for all moneys received, which shall be numbered consecutively, and shall bear the date upon which the deposit is actually made, and show from whom and what account received, and the amounts in money of the United States; and also when paid in any foreign coin or currency, the amounts and kind of foreign money in which payments are made shall be stated upon the receipts and the rates at which the same are reduced to money of the United States.

RULE 29. All receipts, original and duplicates, issued by the Treasurer, shall be registered and countersigned by the Auditor of the Zone, without which they shall be invalid, and for this purpose the Treasurer shall, immediately upon issuing each receipt in duplicate, transmit both receipts to the Auditor.

RULE 30. No payment shall be made by the Treasurer except upon vouchers approved by the Governor and registered by the Auditor, and such vouchers when paid and accompanied by proper evidence of payment, which shall be the receipt of the payee, shall be the voucher upon which the Treasurer shall receive credit in the settlement of these accounts.

RULE 31. The Treasurer shall render monthly accounts of the receipts and payments for account of the Government of the Canal Zone, and submit the same to the Auditor for examination and settlement, not later than ten days after the expiration of each month. In rendering such accounts the Treasurer shall charge himself with all moneys received during the period covered by the account, under the appropriate funds or heads of accounts.

RULE 32. The Treasurer shall take credit for all moneys paid out and file with the account the vouchers properly canceled.

RULE 33. The Treasurer of the Canal Zone shall give bond with sufficient surety, to be approved by the Isthmian Canal Commission, for the faithful performance of the duties herein prescribed, and for the full payment on demand of all balances found due, in such amount as shall from time to time be fixed by the Commission.

RULE 34. The Auditor shall make semi-annually, and oftener if deemed expedient, an examination of the books and accounts of the Treasurer of the Zone, and also an examination and count of the moneys in the hands of the Treasurer, and such other pertinent matters as may be desirable and submit his receipt thereon to the Governor and Secretary of War.

⁸⁶ See sec. 9, Act No. 8 of the Commission (L. C. Z. 61) creating the office of Treasurer of the Canal Zone.

TITLE TO BE OBSERVED IN THE RENDITION AND CERTIFICATION OF ACCOUNTS.

RULE 35. All accounts of the Treasurer of the Zone and of the various officers and agents authorized to collect the revenues, receive moneys and make disbursements and all other accounts subject to examination and settlement by the Auditor shall be with "The Government of the Canal Zone," and all balances certified by the Auditor shall be certified as due to or from said Government, as the case may be.

APPEALS FROM THE ACTION OF THE AUDITOR.

RULE 36. Any person aggrieved by the action or decision of the Auditor in the settlement of this account or claim by that officer, may within one year take an appeal in writing to the Governor which shall specifically set forth the particular action of the Auditor to which exception is taken, with the reasons and authorities relied upon for reversing such action. If the Governor shall confirm the action of the Auditor, he shall so endorse the appeal and transmit it to the Auditor, and the action of the Auditor shall thereupon be final and conclusive. Should the Governor fail to sustain the action of the Auditor, he shall forthwith report his ground of disapproval to the Secretary of War, together with the appeal and the papers necessary for a proper understanding of the matter. The decision of the Secretary of War in such case shall be final and conclusive.

RULE 37. As soon after the close of each fiscal year as the accounts of said year may be settled and adjusted, the Auditor shall submit to the Governor, the Isthmian Canal Commission and the Secretary of War an annual report of the financial concerns of the Government of the Canal Zone, showing the receipts and disbursements of the various departments of the said Government of the Canal Zone, and make such other reports as may be required of him by the Governor, the Canal Commission or the Secretary of War.

RULE 38. The Auditor shall, at the time of settlement, send an official notification in writing to each person whose accounts have been settled in whole or in part in the Auditor's office, stating the balances found due thereon and certified, and the differences arising on such settlement by reason of disallowances or suspension made by the Auditor, or from other causes, which statement or differences shall be properly itemized. The reason for a disallowance or suspension of credit shall in all cases be stated.

RULE 39. A true copy of all orders of the Government of the Canal Zone which may originate a claim or in any manner affect the settlement of any account shall be transmitted to the Auditor by the proper officer.

RULE 40. Every contract under which a payment may be made shall be submitted to the Auditor with the account to which such payment pertains.

RULE 41. Wherever the word "Auditor" appears herein it shall be taken to mean the General Auditor for the Isthmian Canal Commission and his authorized corps of deputy auditors or local auditors to whom duties have been regularly assigned:

All orders of the Governor, and acts of the Isthmian Canal Commission, or parts thereof, which are in conflict with this order are hereby repealed.

Approved for the President.

WM. H. TAFT,
Secretary of War.

NOVEMBER 5, 1905.

Order of the President, Nov. 15, 1905, authorizing temporary appointments on the Isthmus.

When, in the judgment of the Civil Service Commission, no register contains an eligible having the special qualifications asked for by the Isthmian Canal Commission for service on the Isthmus of Panama,⁸⁷ the Civil Service Commission may allow a temporary appointment, which may be made permanent on certificate of the Isthmian Canal Commission that such action is required in the interests of good administration.⁸⁸

THEODORE ROOSEVELT.

THE WHITE HOUSE, November 15, 1905.

⁸⁷ Classified by Executive Order of Nov. 15, 1904, p. 28.

⁸⁸ Repealed by Executive Order of Jan. 12, 1906, p. 51.

Order of the President, Nov. 25, 1905, amending order prescribing compensation of members of the board of consulting engineers.

It is hereby ordered that the word "report" in the third line of the executive order of August 31, 1905,⁸⁹ providing for an allowance of \$5,000 to each member of the Advisory Board of Engineers upon plans of the Panama Canal upon the completion of the report of the Board, be changed to "work." This change is made in order to permit the foreign members of the Board to receive their allowance before returning to their homes prior to the engrossing and signing of the completed report.

The amended order will read as follows:

"It is ordered that each member of the Advisory Board of Engineers upon plans of the Panama Canal shall be allowed \$5,000 payable upon the completion of the work of the Board. In addition thereto he shall when on duty with the Board be allowed \$15 per day for personal expenses from the date of leaving his home until his return thereto including Sundays and Holidays. He shall also be allowed the actual cost of transportation incurred by him in travel on duty in connection with the Board to include cost of ticket by railway or steamer, sleeping or parlor car accommodations, baggage transfer, cabs and portage.

"It is further ordered that the allowance of \$5,000 to General Davis and General Abbot shall be increased by the amount of their retired pay for the time during which they are employed upon the work of the Board, it being my intention that those members of the Board shall receive the same compensation for this work as the other members and this increase being made to provide for the usual deduction of retired officers' pay."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *November 25, 1905.*

Order of the President, Dec. 7, 1905, fixing date for holding quarterly session of the Commission.

The quarterly session of the Isthmian Canal Commission for the first of January, next, may be held at the Office of the Commission in Washington, D. C., instead of at the office of the Governor of the Canal Zone on the Isthmus of Panama as provided in Executive Order of April 1, 1905, in view of the necessity of the Commission for considering the report of the Advisory Board of Engineers, and the impossibility of leaving so soon for the Isthmus.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *December 7, 1905.*

Order of the President, Dec. 18, 1905, appointing Miss Anna F. McCormick to position under the Commission.

Miss Anna F. McCormick may be permanently appointed to a position in the office of the Isthmian Canal Commission where she is at present temporarily employed.

T. ROOSEVELT.

THE WHITE HOUSE, *December 18, 1905.*

Order of the President, Jan. 8, 1906, appointing Ralph Whitman to position under the Commission.

Mr. Ralph Whitman may be permanently appointed to the position of Engineer Draftsman in the Office of the Isthmian Canal Commission, where he is at present temporarily employed.

T. ROOSEVELT.

THE WHITE HOUSE, *January 8, 1906.*

Order of the President, Jan. 12, 1906, revoking order authorizing temporary appointments on the Isthmus.

Executive Order of November 15, 1905,⁹⁰ as to appointments to positions in the service of the Isthmian Canal Commission upon the Isthmus of Panama, is hereby repealed.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 12, 1906.*

⁸⁹ p. 51. Further amended by Executive Order of Feb. 19, 1906, p. 51.

⁹⁰ p. 49.

Order of the President, Jan. 12, 1906, amending civil-service rules applicable to employees on the Isthmus.

Schedule A of the civil service rules is hereby amended by striking out all of the present provisions of Section VIII ⁹¹ and substituting therefor the following:

VIII. ISTHMIAN CANAL COMMISSION.

All officers and employees in the service of the Isthmian Canal Commission upon the Isthmus of Panama, except those who are to perform the duties of clerk, book-keeper, stenographer, typewriter, surgeon, physician, trained nurse, or draftsman.

No person appointed to the service on the Isthmus of Panama otherwise than through competitive examination or by transfer or promotion from a competitive position shall be transferred to a competitive position.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 12, 1906.*

Order of the President, Feb. 19, 1906, amending order prescribing compensation of members of the board of consulting engineers.

In order to more clearly express the intention prompting the issuance of the original order fixing the compensation and allowances of the members of the Board of Consulting Engineers upon plans for the Panama Canal the Executive Order of August 31, 1905 ⁹² is hereby amended to read as follows:

"It is hereby ordered that each member of the Advisory Board of Engineers upon plans for the Panama Canal shall be allowed \$5,000, payable upon the completion of the report of the Board. In addition thereto he shall receive \$15 per day during the time he may be engaged upon the work of the Board, including Sundays and legal holidays, from the date of first leaving home to assemble as a Board until the date of arrival at home after the conclusion of his services on said Board. For the time, subsequent to final adjournment, required in closing the work of the Board, in completing its records, printing its report and appendix matter, and in distribution of the same, the Chairman is allowed the same per diem for 15 days additional.

"Each member shall also be allowed the actual cost of transportation incurred by him in necessary travel in connection with the work of the Board, to include cost of ticket by railway or steamer, sleeping or parlor car accommodations, baggage transfer, cabs and portage.

"It is further ordered that the allowances to General Davis and General Abbot shall be increased by the amount of their retired pay for the time during which they are employed upon the work of the Board, it being my intention that those members shall receive the same compensation for this work as the other members and this increase being made to provide for the usual deduction of retired officers' pay."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 19, 1906.*

Order of the President, Feb. 26, 1906, amending order prescribing salaries and allowances of Commissioners.⁹³

The order of the Secretary of War, of April 3, 1905, fixing the salaries of the members of the Isthmian Canal Commission is hereby revoked ⁹⁴ and it is ordered as follows:

That Theodore P. Shonts, Chairman of the Commission receive a salary of thirty thousand dollars per annum;

That Charles E. Magoon, Commissioner, receive a salary of seventeen thousand five hundred dollars per annum;

That Mordecai T. Endicott, Peter C. Hains, Oswald H. Ernst, and Benjamin M. Harrod, Commissioners, each receive as such, seven thousand five hundred dollars per annum;

That the Chief Engineer of the Commission receive a salary of thirty thousand dollars per annum;

⁹¹ p. 28.

⁹² p. 44.

⁹³ See notes under Executive Order of Mar. 26, 1904, p. 20.

⁹⁴ p. 40.

That Theodore P. Shonts, Charles E. Magoon, and the Chief Engineer of the Commission be allowed the use of a furnished dwelling house on the Isthmus; that Commissioners Endicott, Hains, Ernst and Harrod be allowed and paid their actual and necessary expenses while in attendance at the regular or specially called meetings of the Commission held on the Isthmus, and also their actual traveling expenses to and from the meetings of the Commission on the Isthmus or at Washington as the case may be; and that Theodore P. Shonts, Charles E. Magoon, and the Chief Engineer of the Commission be allowed and paid their expenses of travel while on the business of the Commission.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 26, 1906.*

Order of the President, Mar. 26, 1906, defining intention of order fixing salaries and allowances of Commissioners.

In order more clearly to express the intention of the Executive Order, dated The White House, February 26, 1906, fixing the salaries and allowances of the members of the Isthmian Canal Commission,⁹⁵ it is hereby ordered that the Chairman of the Commission be allowed and paid his actual and necessary expenses while away from Washington on official business of the Commission, and the Governor of the Canal Zone and the Chief Engineer of the Commission be allowed and paid their actual and necessary expenses while away from the Isthmus of Panama on official business.

This interpretation shall be effective as of the date of the original order, February 26, 1906, so amended.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 26, 1906.*

Order of the President, May 31, 1906, prescribing rules under which appointments, transfers, and promotions on the Isthmus may be made.

Appointments to clerical positions on the Isthmus of Panama paying less than \$75 in gold per month may be made without examination under the civil service rules.⁹⁶

Transfers or promotions from one classified position to another on the Isthmus of Panama may be made without reference to the usual limitations, but shall be shown on the monthly report of changes in the service made to the Civil Service Commission. No transfer shall be made from the service on the Isthmus of Panama to the Office of Administration, Isthmian Canal Affairs, except in accordance with the transfer rules and regulations at present in effect.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *May 31, 1906.*

Order of the President, June 30, 1906, fixing compensation and allowances of Commissioners.

It is hereby ordered:

That Theodore P. Shonts, Chairman of the Commission, receive a salary of \$30,000 per annum.

That John F. Stevens, Commissioner, receive no additional salary over that paid him as Chief Engineer.

That Charles E. Magoon, Commissioner, receive a salary of \$17,500 per annum.

That Mordecai T. Endicott, Peter C. Hains, and Benjamin M. Harrod, Commissioners, each receive as such a salary of \$7,500 per annum.

That Theodore P. Shonts, Charles E. Magoon, and John F. Stevens be allowed the use of a furnished dwelling house on the Isthmus.

That the Chairman of the Commission be allowed and paid his actual and necessary expenses while away from Washington, on official business of the Commission, and that the Governor of the Canal Zone and the Chief Engineer of the Commission be allowed and paid their actual and necessary expenses while away from the Isthmus of Panama, on official business.

⁹⁵ p. 51.

⁹⁶ See Sec. VIII of rules, p. 28. This paragraph amended by Executive Order of July 17, 1906, p. 53, to read "not more than \$75."

That Commissioners Endicott, Hains, and Harrod be allowed and paid their actual and necessary expenses while in attendance at the regular or specially called meetings of the Commission, held on the Isthmus, and also their actual traveling expenses to and from the meetings of the Commission, on the Isthmus or at Washington, as the case may be.

All orders in conflict herewith are revoked.⁹⁷

THEODORE ROOSEVELT.

JUNE 30, 1906.

(11.30 p. m.; after adjournment of Congress.)

Order of the President, July 17, 1906, making permanent certain temporary appointments on the Isthmus.

Appointments to clerical positions on the Isthmus of Panama paying not more than \$75 in gold a month may be made without examination under the civil service rules.⁹⁸

The employees named in the list agreed upon by the Office of Administration, Isthmian Canal Affairs, and the Civil Service Commission, who were appointed either temporarily to meet the urgent needs of the service in the absence of available eligibles, or were appointed immediately after the signing of the order of January 12, 1906, through a misapprehension of its provisions, may be permanently appointed.

THEODORE ROOSEVELT.

Approved July 17, 1906.

List of temporary employees made eligible for permanent appointment by Executive Order of July 17, 1906.

Names.	Grade.	Salary.	Division.
Weedon D. Williams.....	Copyist.....	\$75.00	Municipal Engineering.
Ralph W. Border.....	do.....	75.00	Mechanical Division.
R. C. Livingston.....	Clerk I.....	83.33	Culebra Division.
Philip P. Moseley.....	Copyist.....	75.00	Building Construction.
Charles G. Smith.....	do.....	75.00	Culebra Division.
Charles E. Athey.....	Clerk III.....	125.00	Mechanical Division.
Edward W. Wilson.....	do.....	125.00	Labor and Quarters.
Simon Herz.....	do.....	125.00	Mechanical Division.
George A. Marquis.....	do.....	125.00	Do.
Louis Mantovani.....	Draftsman.....	83.33	Do.
Robert L. Turner.....	Mess Clerk.....	40.00	Labor and Quarters.
Frederick Crisp.....	Clerk II.....	100.00	Mechanical Division.
C. N. Messelongsites.....	Clerk III.....	125.00	Do.
Lewin W. Walker.....	Clerk I.....	83.33	Do.
Hildebert Rutherford.....	Copyist.....	75.00	Building Construction.
C. L. Hase.....	Mess Clerk.....	100.00	Labor and Quarters.
Albin Ralston.....	do.....	60.00	Do.
William D. Gillespie.....	Clerk III.....	125.00	Mechanical Division.
Robert Fouillebois.....	do.....	125.00	Do.
Harold A. Head.....	Mess clerk.....	40.00	Labor and Quarters.
Ernest Booth.....	do.....	40.00	Do.
Melvin J. Kimball.....	Clerk II.....	100.00	Mechanical Division.
Paul Prat.....	Draftsman.....	100.00	La Boca Division.
Thomas B. Colville.....	Clerk II.....	100.00	Building Construction.
Thomas A. Fletcher.....	Copyist.....	75.00	Cristobal Division.
M. L. Padgett.....	Chief of Division.....	150.00	Building Construction.
Aristides Alfaro.....	Copyist.....		Engineering Department.
E. W. Fraser.....	Clerk.....		Division Material and Supplies.
Alex. Alich.....	do.....		Engineering Department.
Thomas L. Cook.....	Inspector of Revenues.....		Government and Sanitation.
Eugene V. St. T. Sargent.....	Clerk.....		Do.
V. Ridgely Martin.....	Inspector of Customs.....		Do.
Isaac Carlos Ames.....	Clerk.....		Division Material and Supplies.
Edward Kearney.....	do.....		Local Auditor.
Dr. Herman Canfield.....	Interne.....		Government and Sanitation.
George R. Hands.....	Clerk.....		Do.

⁹⁷ See notes under page 19 hereof.

⁹⁸ Executive Order of Nov. 16, 1918, p. 249, permits such appointments where salary is not more than \$106, conditioned as to time limitation of war conditions.

Order of the Secretary of War, July 27, 1906, amending rule 17 of rules and instructions relative to accounting system of government of Canal Zone.

WAR DEPARTMENT,
Washington, July 27, 1906.

By authority of the President of the United States, it is hereby ordered that rule 17 of the Rules and instructions relative to the Accounting system of the Government of the Canal Zone,¹ Isthmus of Panama, be amended by striking out the last words in the paragraph, reading, "such remittances to be made with each and every mail dispatch from their respective offices which may convey mail to the Treasurer," and inserting in lieu thereof the words, "such remittances to be made with at least one mail dispatch on each day during which their respective offices may be open for the transaction of business."

WM. H. TAFT,
Secretary of War.

Order of the President, Sept. 20, 1906, fixing date for holding quarterly session of the Commission.

The quarterly session of the Isthmian Canal Commission, which, under the Executive Order of April 1, 1905, would ordinarily be held on the first day of October, next, may be held at the office of the Governor of the Canal Zone on the Isthmus of Panama on the 15th day of November, 1906, instead of on the date above mentioned.

THEODORE ROOSEVELT,
President.

THE WHITE HOUSE, September 20, 1906.

Order of the Secretary of War, Sept. 24, 1906, appropriating funds of the Canal Zone government for school purposes.

The sum of Fifty Thousand Dollars (\$50,000) of the funds of the Government of the Canal Zone, Isthmus of Panama, is hereby apportioned to be devoted to public school purposes during the fiscal year ending June 30, 1907. It shall be expended in the purchase of real estate to be used as building sites for schoolhouses, the erection of schoolhouses, rent of buildings for schoolrooms, equipment of schoolrooms for school purposes, including desks and furniture, books, maps, etc., and compensation for teachers.

The sum hereby rendered available for schools shall be expended by direction of the Governor of the Canal Zone, and accounted for by proper vouchers. The governor shall report his action under this authority to the Secretary of War.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, September 24, 1906.

Order of the Secretary of War, Sept. 24, 1906, appropriating funds of the Canal Zone government for contingent expenses.

There is hereby apportioned from the funds of the Government of the Canal Zone, Isthmus of Panama, the sum of One Thousand Dollars (\$1,000), to be expended upon the order of the Governor of the Canal Zone, in the payment of the contingent expenses of said Government during the fiscal year ending June 30, 1907. The Governor shall report the disbursements made from this fund to the Secretary of War.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, September 24, 1906.

Order of the Secretary of War, Nov. 17, 1906, authorizing purchase of Panaman stamps out of funds of Canal Zone Government.

Whereas, Section 7 of the Executive Order issued by direction of the President of the United States under date of December 3, 1904, provides that, "The authorities of the Canal Zone shall purchase from the Republic of Panama such stamps as the authorities of the Canal Zone desire to use in the Canal Zone at forty per centum of their face value."¹

¹ Executive Order of Nov. 5, 1905, p. 44.

² p. 29.

Authority is hereby given for the expenditure, from the funds of the Government of the Canal Zone, Isthmus of Panama, deposited in the Treasury of said Government, of such sums as may be necessary, from time to time, for the purchase of stamps from the Government of Panama for surcharging for use in the Canal Zone. The sums hereby rendered available for the purchase of stamps shall be expended by direction of the Governor of the Canal Zone, and accounted for by proper vouchers. The Governor shall report his action under this authority to the Secretary of War.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, November 17, 1906.

Order of the President, Nov. 17, 1906, reorganizing the Commission.

The Executive Order of April 1, 1905,¹⁰¹ is hereby changed as follows:

The Commission will hold quarterly sessions the first week in February, May, August, and November, of each year, on the Isthmus of Panama, and will continue each session as long as public business may require. Further notice of such meetings shall not be necessary to their regularity. The Commission may hold special sessions at the call of the Chairman. Four members shall constitute a quorum and the action of such majority shall be the action of the Commission.

The Commission, under the supervision of the Secretary of War and subject to the approval of the President, is charged with the general duty of the adoption of plans for the construction and maintenance of the Canal, and with the execution of the work of the same; for the purchase and delivery of supplies, machinery and necessary plant; the employment of the necessary officers, employees, and laborers, and with the fixing of their salaries and wages; with the operations of the Panama Railroad Company and Steamship Lines as common carriers; with the utilization of the Panama Railroad as means of constructing the Canal; with the Government and Sanitation of the Canal Zone and with all matters of sanitation in the cities of Panama and Colon and the harbors thereof; with the making of all contracts for the construction of the Canal or any of its needful accessories; and with all other matters incident and necessary to the building of a water-way across the Isthmus of Panama, as provided by the Act of Congress, June 28, 1902.

The Executive Committee, as provided for in my Executive Order of April 1, 1905, is hereby abolished.

In order to promote the greatest harmony between the heads of Departments, and to secure results by the most direct methods, the following organization shall be created:

The organization shall consist of the Chairman and the following heads of Departments: Chief Engineer, General Counsel, Chief Sanitary Officer, General Purchasing Officer; General Auditor,¹⁰² Disbursing Officer, and Manager of Labor and Quarters. The duties of each shall be as follows:

1. The Chairman shall have charge of all departments incident and necessary to the construction of the Canal, or any of its accessories.
2. He shall appoint the Heads of the various Departments, subject to the approval of the Commission.
3. The Head of each Department shall report to and receive his instructions from the Chairman.
4. He shall have charge of the operations of the Panama Railroad and Steamship Lines.
5. He shall perform such other duties as may be assigned to him from time to time by the Secretary of War.

A minute of every transaction of the Chairman shall be made and one copy of the minutes shall be forwarded to the Secretary of War and another copy transmitted for the consideration of the Commission at its next meeting.

The Chief Engineer shall have charge of:

1. All engineering work relating to the Canal and its accessories.
2. All construction work on the Isthmus of Panama.
3. The operation of the Panama Railroad so far as same relates to Canal construction work.

¹⁰¹ p. 35. See also Executive Order of Jan. 6, 1908, p. 72, newly defining powers of the Isthmian Canal Commission and its Chairman.

¹⁰² General and local auditor abolished, and Examiner of Accounts created, by Executive Order of Aug. 15, 1907, p. 68; which order also defines duties of the Disbursing Officer.

4. The custody of all the supplies and plant of the Commission upon the Isthmus.

5. In the absence of the Chairman from the Isthmus, the Chief Engineer shall act for him in all matters requiring prompt attention, such action to be reported to the Chairman for his action, but the action of the Chief Engineer shall be in full force and effect until disapproved by the Chairman.

The General Counsel shall have charge of:

1. All legal matters pertaining to the Commission, whether in the United States or on the Isthmus of Panama.

2. The administration of civil government within the Canal Zone, and shall exercise, through a local administrator, the authority heretofore vested in the Governor of the Canal Zone.¹⁰³

The Chief Sanitary Officer shall have charge of:

1. All matters of sanitation within the Canal Zone, and also in the cities of Panama and Colon, and the harbors, etc., so far as authorized by the treaty, Executive Orders and decrees of December 3, 1904, between the United States and Panama, relating thereto.

2. The custody of all medical supplies needed for sanitary purposes.

The General Purchasing Officer shall have charge of the purchase and delivery of all supplies, machinery, and necessary plant.

The General Auditor shall have charge of the general bookkeeping, of property accounts, of statistics, of administrative audit of the Commission, and of the accounting, bookkeeping, and audit of the Government of the Canal Zone.

The Disbursing Officer shall have charge of time keeping, of preparation of pay rolls and vouchers, and of payment of same.

The Manager of Labor and Quarters shall have charge of the employment of all necessary labor secured from the West India Islands or Central and South American countries; of the general personal records of all employees; of all quarters, and shall assign same to all employees of the Commission or of its contractors; and of the operation of all Commission hotels and mess houses.

APPOINTMENT OF OFFICERS.

All officers and employees shall be appointed, and their salaries shall be fixed, by the Head of the Department in which they are engaged. Their appointment and salaries shall be subject to the approval either of the Commission, or, if the Commission is not in session, of the Chairman.

The employment of laborers where the contract of employment is made in the United States, shall be negotiated and concluded by the Chairman of the Commission. Where the employment of laborers is effected upon the Isthmus, or outside of the United States, it shall be conducted under the supervision of the Chief Engineer, subject to the approval of the Chairman.

CONTRACTS.

Contracts for the purchase of supplies, involving an estimated expenditure exceeding \$10,000 shall only be made after due public advertisement in newspapers of general circulation, and shall be awarded to the lowest responsible bidder, except in the case of emergency, when, with the approval of the Secretary of War, advertising may be dispensed with. In the making of contracts for supplies or construction involving an estimated expenditure of more than \$1,000, and less than \$10,000, competitive bids should be secured by invitation or advertisement whenever practicable.

REPORTS.

The Head of each Department shall make a report upon the work and operation of his Department to the Isthmian Canal Commission from time to time and as often as may be required by the Chairman of the Commission.

The Chairman of the Commission will make a report to the Secretary of War, setting forth the results accomplished by each Department of the work, at least annually and as often as he may deem advisable or the Secretary may require.

The Secretary of War will make to the President a report at least annually, and as often as he may deem advisable or the President may require.

¹⁰³ Executive Order of Apr. 2, 1907, p. 65, provides that "the authority of the Governor or Chief Executive of the Canal Zone, under existing laws, resolutions and Executive Orders, shall be vested in and exercised by the Chairman of the Isthmian Canal Commission." Such duties are generally outlined by Executive Order of Apr. 1, 1905, p. 35.

All Executive Orders relating to the subject of the Panama Canal, excepting so far as they may be inconsistent with the present order, remain in force.

THEODORE ROOSEVELT.

Effective this date, November 17, 1906.

T. R.

Order of the President, Feb. 21, 1907, authorizing transfer of John E. Kidwell from Isthmian service to classified clerical position in the United States.

Mr. John E. Kidwell, Accountant (Pay-clerk) at \$2,200 per annum in the Isthmian Service may be transferred to a classified clerical position in the United States.

THEODORE ROOSEVELT.

THE WHITE HOUSE, February 21, 1907.

Order of the Secretary of War, Feb. 21, 1907, ratifying action of the Commission in increasing salaries of employees of the Canal Zone government.

WAR DEPARTMENT,

Washington, February 21, 1907.

The action of the Isthmian Canal Commission since March 4, 1905, in increasing from time to time the salaries of employees of the Canal Zone Government is hereby approved.

By order of the President.

WM. H. TAFT,
Secretary of War.

Order of the Secretary of War, Feb. 28, 1907, ratifying acts and resolutions of the Commission changing laws of the Canal Zone.

WAR DEPARTMENT,

Washington, February 28, 1907.

All acts and resolutions of the Isthmian Canal Commission passed since March 4, 1905, in so far as they effect changes in the "Laws of the Canal Zone" or other enactments of the Commission relative to the Government of the Canal Zone prior to March 4, 1905, are hereby approved.¹⁰⁴

By order of the President.

WM. H. TAFT,
Secretary of War.

Order of the Secretary of War, Feb. 28, 1907, ratifying action of the Commission authorizing payment by Commission of premiums on surety bonds of employees.

WAR DEPARTMENT,

Washington, February 28, 1907.

The action of the Isthmian Canal Commission under date of October 7, 1905, approving a resolution of the Executive Committee passed at a meeting thereof on August 2, 1905, providing that the premiums on surety bonds of employees of the Isthmian Canal Commission other than disbursing officers shall be paid out of the appropriation for the construction of a canal connecting the Atlantic and Pacific Oceans, and the action of the Commission at its meeting of July 5, 1906, providing that all employees of the Isthmian Canal Commission, including the Government of the Canal Zone, who disburse or collect moneys of the United States Government, and all officers or employees required to give bond as provided in the laws of the Canal Zone Government, be required to give bond for the faithful performance of their

¹⁰⁴ Authority of Commission to legislate was derived from the President's Order of May 9, 1904, p. 20, based on Act of Congress of Apr. 28, 1904 (T. & A. 34). This authority ceased at close of the 58th Congress, Mar. 3, 1905. Under order of Mar. 13, 1907, p. 60, the Commission was empowered to enact ordinances regulating police, sanitation, and taxation. See also Executive Order of May 13, 1914, p. 174, giving approval to acts and resolutions passed since Feb. 28, 1907, and sec. 2 of the Panama Canal Act (T. & A. 79) ratifying and confirming all laws, orders, regulations, and ordinances adopted and promulgated in the Canal Zone by order of the President.

duties, in some corporate surety company ¹⁰⁵ to be designated by the Chairman of the Commission, in such amounts as the head of the Department under which they are employed shall consider proper, are hereby ratified and approved, anything contained in the "Laws of the Canal Zone" or other enactments of the Canal Commission relative to the Canal Zone Government prior to March 4, 1905, to the contrary notwithstanding.

By order of the President.

WM. H. TAFT,
Secretary of War.

Order of the Secretary of War, Mar. 4, 1907, placing Joseph B. Bishop, Secretary of the Commission, in Charge of Washington Office.

WAR DEPARTMENT,
Washington, March 4, 1907.

By direction of the President, it is hereby ordered that Joseph B. Bishop, Secretary of the Isthmian Canal Commission, be and is hereby placed in charge of the Washington office of the Commission until further order.

WM. H. TAFT,
Secretary of War.

Order of the President, Mar. 4, 1907, appointing John F. Stevens as Chairman of the Commission and Lieut. Col. George W. Goethals, U. S. Army, as member of the Commission.

THE WHITE HOUSE,
Washington, D. C., March 4, 1907.

John F. Stevens is hereby appointed Chairman of the Isthmian Canal Commission, vice Theodore P. Shonts, resigned, to take effect this day.

Lieutenant-Colonel George W. Goethals,¹⁰⁶ United States Army Engineers, is hereby appointed a member of the Isthmian Canal Commission, vice John F. Stevens appointed Chairman thereof.

These appointments are made after the adjournment of Congress, and are recess appointments.

Chairman Stevens will receive no other salary than that which he now receives as Chief Engineer, to wit, \$30,000 a year.

Lieutenant-Colonel Goethals will receive compensation at the annual rate of \$15,000 a year, including his pay as a Lieutenant-Colonel of Engineers. The difference between \$15,000 and his pay as a Lieutenant-Colonel of Engineers will be paid out of the appropriation for the construction of the Panama Canal.

THEODORE ROOSEVELT.

Order of the Secretary of War, Mar. 12, 1907, establishing rules for making and recording instruments in writing affecting real property in the Canal Zone.

By direction of the President, it is ordered:

SECTION 1. A deed or instrument in writing executed and delivered between parties competent to contract, and sufficiently describing the property conveyed, signed by the grantor, or, if the grantor be not able to write, with the grantor's mark, and witnessed in every case by two disinterested parties, shall be sufficient in law to convey the grantor's title to real estate, or any interest therein, and on and after July 1, 1907, real property shall not be conveyed in any other manner.

¹⁰⁵ Executive Order of Mar. 12, 1907, p. 60, prescribes regulations for insurance companies doing business in the Canal Zone. Executive Order of Oct. 15, 1909, p. 93, exempts from annual fee and license tax insurance companies whose business in the Canal Zone consists solely in furnishing bonds of employees.

¹⁰⁶ Colonel Goethals appointed Chairman of the Isthmian Canal Commission vice John F. Stevens, resigned, by Executive Order of Apr. 1, 1907, p. 64, with same compensation as in above order of Mar. 4, 1907. Colonel Goethals continued as Chairman of the Commission until its dissolution as of Apr. 1, 1914, on which date he assumed the duties of Governor of The Panama Canal. See also act of Congress of Mar. 4, 1915 (T. & A. 123), providing for recognition of services of certain officers in connection with construction of the Panama Canal.

SEC. 2. No deed conveying any interest in real estate, nor mortgage of real property, shall be valid against subsequent creditors of and purchasers from the owner in good faith, unless the same shall have been recorded with the registrar of the administrative district in which the real estate lies.

SEC. 3. The clerks of the circuit courts of the Canal Zone shall act as registrars of land titles,¹⁰⁷ as follows:

The clerk of the First Judicial Circuit Court for the administrative district of Ancon.

The clerk of the Second Judicial Circuit Court for the administrative districts of Emperador and Gorgona.

The clerk of the Third Judicial Circuit Court for the administrative district of Cristobal.

SEC. 4. For the purpose of recording all instruments required to be recorded under this order the registrar shall keep a well-bound and substantial book, and shall be entitled to charge for services rendered as registrar, as follows:

For each instrument recorded, ten cents, gold, per folio of one hundred words.

For cancelling mortgages or other instruments recorded with him, twenty-five cents, gold.

For each certified copy of an instrument recorded in his office, ten cents, gold, per folio.

SEC. 5. Any document relating to real estate or affecting property or personal relations, executed under the Spanish law prior to this order, may be recorded for the purpose of preservation.

Effective April 15, 1907.¹⁰⁸

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 12, 1907.

Order of the Secretary of War, Mar. 12, 1907, extending United States patent, trade-mark, and copyright laws of the Canal Zone.

By authority of the President, it is ordered:

That the patent, trade-mark, and copyright laws of the United States of America are hereby extended to and made effective within the Canal Zone to the extent that any patent or copyright issued under the laws of the United States, or any trade-mark duly registered in the Patent Office of the United States, shall vest in the person to whom issued or in whose name registered, his assigns and licensees, subject to the protection of the Circuit and Supreme Courts of the Canal Zone, the same exclusive right of property therein that such person would possess in the United States.

Effective April 15, 1907.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 12, 1907.

Order of the Secretary of War, Mar. 12, 1907, appointing members of Joint Commission.

By order of the President, Mr. B. S. Ambler and Mr. Montgomery Blair are hereby appointed members of a Joint Commission provided for by Articles VI and XV of the Treaty between the United States and the Republic of Panama of February 26, 1904.

They will be present upon the Isthmus on or before April 4, 1907.

They will receive an allowance of \$15 per day for their services from the time they leave the United States until their return there, and their actual traveling expenses and subsistence during the same period of time.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 12, 1907.

¹⁰⁷ SEC. 399, Code of Civil Procedure, p. 90, provides that the clerk of the Circuit Court "shall also act as *ex officio* registrar of land titles until relieved by law, and shall keep proper books of record which shall at all reasonable hours be open to the public."

¹⁰⁸ Repealed by Executive Order of Feb. 2, 1911, p. 104.

Order of the Secretary of War, Mar. 12, 1907, prescribing regulations for insurance companies doing business in the Canal Zone.¹²⁹

By direction of the President, it is ordered:

That no life, fire, accident, industrial, or indemnity insurance company shall be permitted to do business within the Canal Zone until it shall have complied with the following requirements:

1. It shall file with the Collector of Revenues:
 - (a) A certified copy of its articles of incorporation.
 - (b) A certificate of the Insurance Commissioner of the State of its incorporation showing that it is authorized to do business in the home jurisdiction.
 - (c) A resolution of its Board of Directors designating an agent within the Canal Zone upon whom legal process may be served.
 - (d) A certified copy of its last annual statement to the Insurance Commissioner of the State or country in which it may be incorporated; and from time to time thereafter copies of such additional reports as it shall make to the home Commissioner.
 - (e) A sworn statement, showing the amount of its capital stock paid in, its surplus, the amount of insurance it has outstanding, and the number of unsettled or uncontested claims pending against it.
2. It shall deposit with the Collector of Revenues \$10,000 in cash or current securities, which shall be available to satisfy any judgment that may be rendered against it under any insurance policy that it may issue.
3. Upon complying with these conditions and the payment of an annual fee of \$50, the Collector of Revenues will issue to such company a certificate authorizing it to do business within the Canal Zone. Such certificate, however, shall be terminable by the direction of the chief civil authorities of the Canal Zone; but if terminated without fault upon the part of the insurance company, a proportionate rebate of the license fee will be made to the insurance company.
4. Each company, as a condition of continuing to do business within the Canal Zone, shall file with the Collector of Revenues, between January 1 and March 1 of each year, a sworn statement showing the business done by it within the Canal Zone during the previous calendar year, and shall pay, on or before March 1, to the Collector of Revenues, in lieu of all other taxes save taxes upon real estate and the annual fee provided for in Section 3 hereof, a license tax equal to one and one-half per centum of its premium receipts for the calendar year preceding.
5. The agent of any unlicensed insurance company doing business within the Canal Zone shall be subject to a fine not exceeding \$25 for the first offense, and not exceeding \$100 for the second offense.

Effective July 1, 1907.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 12, 1907.

Order of the President, Mar. 13, 1907, providing for the celebration of marriages in the Canal Zone.¹³⁰

Under authority vested in me by law it is ordered:

That marriages in the Canal Zone may be celebrated by any minister of the Gospel in regular standing in the church or society to which he belongs, by the judge of any court of record, or by any municipal or district judge.

THEODORE ROOSEVELT.

THE WHITE HOUSE, March 13, 1907.

Order of the President, Mar. 13, 1907, dividing the Canal Zone into administrative districts.

Under authority vested in me by law it is ordered:

1. The Canal Zone, Isthmus of Panama, shall be divided into four administrative districts,¹³¹ to be known as Ancon, Emperador, Gorgona, and Cristobal. The districts

¹²⁹ Amended by Executive Order of Oct. 15, 1909, p. 93, exempting from annual fee and license tax insurance companies whose business in the Canal Zone consists solely in furnishing bonds of employees. See Executive Order of Mar. 20, 1913, p. 142, prescribing conditions under which foreign corporations may do business in the Canal Zone; and Secs. 396-409 of the Penal Code (L. C. Z. 158), relating to fraudulent insolvencies by corporations.

¹³⁰ Supersedes Art. 126, p. 44 and Art. 50, Law of 1887, p. 560, of Colombia-Panama Civil Code. Confirmed and amplified by Executive Order of May 31, 1907, p. 65.

¹³¹ Boundaries of old municipal districts shown in act No. 7 of the Commission (L. C. Z. 37), which reads as amended by act No. 18 of the Commission:

of Ancon and Emperador¹¹² shall be coextensive with the present municipal districts of Ancon and Emperador. The district of Gorgona¹¹² shall be composed of the present municipal district of Gorgona and that portion of the municipal district of Buenavista lying south and east of a straight line passing through the center of the Panama Railroad Company's bridge No. 38 over the Agujeta River, and intersecting the boundaries of the Canal Zone with an inclination of forty degrees east of the magnetic meridian. The district of Cristobal shall be composed of the present municipal district of Cristobal and that portion of the municipal district of Buenavista lying north and west of a straight line passing through the center of the Panama Railroad Company's bridge No. 38, over the Agujeta River, and intersecting the boundaries of the Canal Zone with an inclination of forty degrees east of the magnetic meridian.

2. In each district there shall be appointed a tax collector,¹¹³ who shall discharge the duties¹¹⁴ of the present municipal treasurer and Board of Assessors. He shall be charged with the collection of license taxes,¹¹⁵ the assessment and collection of all ad valorem taxes, the preparation of head lists for work upon public improvements and the issuance of citations and collection of commutation taxes thereunder, the keeping of the Civil Register, the collection of rents from public and municipal property, the execution of leases thereof under direction of the Collector of Revenues, and in the proper case with the approval of the chief executive of the Canal Zone, the execution of deed therefor. He shall also represent the municipality in all necessary litigation affecting municipal property within his district, and shall from time to time discharge such other duties of a public nature as may be assigned to him by the duly authorized authorities of the Canal Zone. He shall keep books or rolls showing all assessments made, taxes and rents due, and collections made, and shall give such bond as may be required of him. He shall report to the Collector of Revenues and deposit all funds as he may be required with the Treasurer of the Canal Zone.

3. The existing regulations concerning the assessment and collection of taxes and the enforcement of tax liens shall be followed and applied by the Tax Collector so far as the same are not inconsistent with the terms of this order. Unpaid taxes of every character shall constitute a personal claim against the person against whom they are levied, and taxes upon real property shall, in addition, until paid, constitute a lien upon the realty. With respect to ad valorem taxes or other taxes levied by assessment, an appeal shall be allowed to the Circuit Judge for the district, following a procedure to be prescribed by the Circuit Judges, by the owner or occupant in all cases where the assessment may be thought to be unduly high, or by the Collector of Revenues in all cases where it may be thought to be unduly low, when compared with assessments made upon similar property similarly situated elsewhere in the Zone. For the purpose of equalizing assessments in the several districts the three circuit judges shall once a year sit as a Board of Equalization.

4. There shall be appointed in each district a District Judge, who shall exercise all the authority now exercised by the Municipal Judges,¹¹⁶ and shall discharge such other duties as may from time to time be imposed upon him by law or executive order. There shall also be appointed for the whole Zone a fifth District Judge, to be known as the Senior District Judge, who shall sit wherever required of him and who shall once a month preside at and keep minutes of a conference of all the District Judges at which matters of common interest pertaining to their office shall be discussed. Any District Judge may temporarily be assigned to sit in any other district. Fines and fees shall be accounted for to the Collector of Revenues and paid into the Treasurer of the Canal Zone.¹¹⁷

5. Public works and improvements in the several districts shall be under the charge and direction of a Superintendent of Public Works appointed for the whole Zone,

¹¹² Executive Order of Sept. 12, 1912, p. 130, changed the name of Emperador District to Empire District, and consolidated the Gorgona with Empire District for all judicial, administrative, and political purposes.

¹¹³ Abolished by Executive Order of Oct. 4, 1910, p. 101, and the duties of the tax collector transferred to collector of revenue.

¹¹⁴ Defined by act No. 7 of Commission (L. C. Z. 37).

¹¹⁵ Executive Order of Apr. 2, 1910, p. 96, provides that liquor tax be collected by the collector of revenue.

¹¹⁶ See Judiciary Act (No. 1) of the Commission (L. C. Z. 9); sec. 26, act No. 7 of Commission (L. C. Z. 9); Title I, Code of Criminal Procedure (L. C. Z. 175); and Title IV, Code of Civil Procedure, pp. 13-20. All these references are to authority exercised by municipal judge and municipal courts. See also, Executive Order of Mar. 13, 1907, p. 62, amending Sec. 16 of Code of Criminal Procedure to read as follows: "Section 16. District judges shall have original jurisdiction in all cases of misdemeanor wherein the fine that may be imposed may not exceed \$100 or imprisonment in jail may not exceed 30 days, or both. They shall have jurisdiction of the Circuit Court in cases of violation of Zone or District ordinances." See also secs. 7 and 8 of the Panama Canal Act (T. & A. 79), relative to the magistrate courts, which succeeded the district courts above referred to.

¹¹⁷ This sentence amended by Executive Order of May 14, 1909, p. 88, to read: "Fines and fees shall be paid into the treasury of the Canal Zone."

who shall also have charge and direction of slaughterhouse and market inspectors and shall discharge such other duties of a public character relative to the various districts as may be assigned to him.¹¹⁸

6. Accounts shall be kept by the Collector of Revenues with each district and public improvements shall be distributed among the several districts with due regard to the revenue derived from each district. Rents derived from municipal property shall in all cases be expended upon public improvements or schools within the district from which it is collected.

7. Ordinances regulating police, sanitation, and taxation, and any other matters now regulated by ordinance, may be enacted, and existing ordinances may be repealed, by the Isthmian Canal Commission, with the approval of the Secretary of War. They may be made operative throughout the Zone, or confined to any particular district.¹¹⁹

8. The municipal councils and all other municipal offices now existing under the laws of the Canal Zone¹²⁰ are abolished.

9. The district officers herein provided for shall be appointed and their salaries fixed by the chief executive of the Canal Zone, subject to approval by the Commission.

10. The rules and regulations of the Isthmian Canal Commission compiled under the title of "Laws of the Canal Zone," in so far as they are inconsistent with this order, are modified and repealed.¹²¹

Effective April 15, 1907.

THEODORE ROOSEVELT.

THE WHITE HOUSE, March 13, 1907.

Order of the President, Mar. 13, 1907, amending Penal Code and Code of Criminal Procedure of the Canal Zone.

Under authority vested in me by law it is ordered:

Section 179¹²² of the Penal Code of the Canal Zone is amended so as to read as follows:

SECTION 179. An assault is punishable by fine not exceeding twenty-five dollars, or by imprisonment in jail not exceeding thirty days."

Section 181¹²² of the Penal Code of the Canal Zone is amended so as to read as follows:

"SECTION 181. A battery is punishable by fine not exceeding one hundred dollars, or by imprisonment in jail not exceeding thirty days, or by both such fine and imprisonment."

Section 209¹²³ of the Penal Code of the Canal Zone is amended to read as follows:

"SECTION 209. Every parent of any child or husband of any wife lawfully chargeable with the support or maintenance of any child or wife, who abandons or willfully omits, without lawful excuse, to furnish food, shelter, or medical attendance to such child or wife is guilty of a misdemeanor."

Section 342¹²⁴ of the Penal Code of the Canal Zone is amended to read as follows:

"SECTION 342. Grand larceny is larceny committed in either of the cases:

"1. When the property taken is of the value of ten dollars and upwards.

"2. When the property is taken from the person of another.

"3. When the property taken is a horse, mare, gelding, cow, steer, bull, calf, mule, jack or jenny.

"4. When the property taken is the property of the United States, Isthmian Canal Commission, or Government of the Canal Zone."

Section 368¹²⁵ of the Penal Code of the Canal Zone is amended so as to read as follows:

"SECTION 368. Every person guilty of embezzlement is punishable in the manner prescribed for feloniously stealing property of the value of that embezzled; and where the property embezzled is an evidence of debt, or right of action, the sum due upon it

¹¹⁸ These duties transferred to the Dept. Engineering and Construction by the Executive Order of Apr. 25, 1908, p. 79.

¹¹⁹ Ordinances enacted by the Isthmian Canal Commission under authority of this section will be published in reprint of the volume of the Laws of the Canal Zone. See note under paragraph of the Executive Order of May 9, 1904, relating to legislation, p. 20.

¹²⁰ Act No. 7 of Commission (L. C. Z. 37).

¹²¹ See note 316, p. 61.

¹²² L. C. Z., 120.

¹²³ Ibid., 125.

¹²⁴ Ibid., 149.

¹²⁵ Ibid., 153.

or evidenced to be paid by it shall be taken at ¹²⁶ its value: *Provided*, That if the embezzlement or defalcation be of the property or public funds of the United States, Isthmian Canal Commission, or of the Government of the Canal Zone or of any municipality, city or village of the Canal Zone, the offense is a felony, and shall be punishable by imprisonment in the penitentiary for not more than ten years; and the person so convicted shall be ineligible thereafter to any office or employment of honor, trust or profit with the United States, Isthmian Canal Commission, or Government of the Canal Zone."

Section 16 ¹²⁷ of the Code of Criminal Procedure is amended to read as follows:

"SECTION 16. District judges shall have original jurisdiction in all cases of misdemeanor wherein the fine that may be imposed may not exceed one hundred dollars or imprisonment in jail may not exceed thirty days, or both. They shall have jurisdiction of the Circuit Court in cases of violation of Zone or District ordinances."¹²⁸

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 13, 1907.*

Order of the President, Mar. 14, 1907, refusing permission to aliens to enter continental territory of the United States.

Whereas, by the act entitled "An Act to regulate the immigration of aliens into the United States," approved February 20, 1907,¹²⁹ whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to-wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, thru the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 14, 1907.*

Order of the President, Mar. 16, 1907, appointing members of the Commission, and fixing their compensation and allowances.

Major William L. Sibert, Corps of Engineers, U. S. A., Major David Du B. Gaillard, Corps of Engineers, U. S. A., and Civil Engineer Harry H. Rousseau, U. S. N., are hereby appointed members of the Isthmian Canal Commission vice Benjamin Harrod, General Peter C. Hains, U. S. A., and Rear-Admiral Mordecai T. Endicott, U. S. N., resigned.

Major Sibert ¹³⁰ will receive compensation at the rate of \$14,000 per annum, including his pay as Major in the Corps of Engineers.

¹²⁶ The word "at" in this phrase is a clerical error, as the original Executive Order reads: "as its value."

¹²⁷ L. C. Z. 175.

¹²⁸ See notes under Executive Order of Mar. 13, 1907, p. 62; notes under secs. 24 and 31 of act No. 1 of the Commission (L. C. Z. 9); and sec. 7 of the Panama Canal Act relating to jurisdiction of the magistrates of the new courts established under that act.

¹²⁹ Repealed by act of Feb. 5, 1917 (T. & A. 149). See notes thereunder, as well as Executive Order of Feb. 24, 1913, p. 134.

¹³⁰ Major Sibert and Mr. Rousseau continued as Commissioners during the life of the Commission. See reference to in act of Congress of Mar. 4, 1915 (T. & A. 123), providing for recognition of services of certain officers in connection with the construction of the Panama Canal.

Major Gaillard¹³¹ will receive compensation at the rate of \$14,000 per annum, including his pay as Major in the Corps of Engineers.

Civil Engineer Rousseau¹³⁰ will receive compensation at the rate of \$14,000 per annum, including his pay as an officer of the Navy.

Major William L. Sibert, Major David Du B. Gaillard, and Civil Engineer Harry H. Rousseau will each be allowed the use of a furnished dwelling house on the Isthmus and will be allowed and paid their actual and necessary expenses while away from the Isthmus of Panama on official business.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 16, 1907.*

Order of the President, Mar. 18, 1907, amending order relative to allowances for Lieut. Col. Geo. W. Goethals, U. S. Army, as member of the Commission.

The Order of March 4th¹³² is hereby amended so as to provide for Lieutenant-Colonel George W. Goethals, U. S. A., the use of a furnished dwelling house on the Isthmus of Panama, and he will be allowed and paid his actual and necessary expenses while away from the Isthmus on official business.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 18, 1907.*

Order of the President, Mar. 22, 1907, promulgating Code of Civil Procedure for the Canal Zone.

Under authority vested in me by law, it is

Ordered, That the within Code of Civil Procedure shall be in force within the Canal Zone on and after May 1, 1907.¹³³

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 22, 1907.*

Order of the President, Mar. 26, 1907, authorizing transfer of W. P. Armstrong to any competitive position.

Mr. W. P. Armstrong, law clerk at \$2,400 per annum in the Isthmian Canal Commission, may be transferred to any other competitive position at a salary not exceeding \$2,500 per annum, without reference to the limitations of the transfer rule.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 26, 1907.*

Order of the President, Apr. 1, 1907, appointing Lieut. Col. Geo. W. Goethals, U. S. Army, as Chairman of the Commission.

Lieutenant-Colonel George W. Goethals, U. S. A., is hereby appointed chairman of the Isthmian Canal Commission effective this date, vice John F. Stevens, resigned.

Chairman Goethals will receive the same compensation that was fixed in the Executive Order of March 4, 1907,¹³⁴ appointing him a member of the Isthmian Canal Commission.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *April 1, 1907.*

Order of the President, Apr. 1, 1907, appointing Joseph C. S. Blackburn a member of the Commission and fixing his compensation and allowances.¹³⁵

Joseph C. S. Blackburn is hereby appointed a member of the Isthmian Canal Commission with compensation at the rate of \$14,000 per annum, effective this date.

¹³¹ Major Gaillard continued as Commissioner until his death, Dec. 15, 1913. See Executive Order of Apr. 27, 1913, p. 212, changing "Culebra Cut" to "Gaillard Cut" in his honor. See also Joint Resolution of Congress of Dec. 22, 1913 (T. & A. 97) for recognition of his services and for relief of his widow.

¹³² p. 58.

¹³³ Published in book form in one volume. Supersedes the Panama Code of Civil Procedure which had been continued in force by Executive Order of May 9, 1904, p. 20.

¹³⁴ See notes thereunder, p. 58.

¹³⁵ Commissioner Blackburn was succeeded by Maurice H. Thatcher, appointed by Executive Order of Apr. 12, 1910, p. 96; and the latter was followed by Richard Lee Metcalfe, appointed by Executive Order of Aug. 9, 1913, p. 150. Commissioner Metcalfe remained until the Commission went out of existence as of April 1, 1914. These three Commissioners served as Head of Department of Civil Administration.

Commissioner Blackburn will be allowed the use of a furnished dwelling house on the Isthmus of Panama and will be allowed and paid his actual and necessary expenses while away from the Isthmus on official business.

THEODORE ROOSEVELT.

THE WHITE HOUSE, April 1, 1907.

Order of the Secretary of War, Apr. 2, 1907, vesting authority of Governor or Chief Executive of the Canal Zone in Chairman of the Commission.

ANCON, CANAL ZONE, April 2, 1907.

By direction of the President, it is ordered:

That until otherwise directed, the authority of the Governor or Chief Executive of the Canal Zone, under existing laws, resolutions and executive orders,¹³⁶ shall be vested in and exercised by the Chairman of the Isthmian Canal Commission.

WM. H. TAFT,
Secretary of War.

Order of the President, Apr. 15, 1907, amending civil service rules relative to transfers.

Amendment to Civil Service Rule X.

Section 8, clause (a), of Rule X, is hereby amended to read as follows:

"(a) He must have received absolute appointment and have actually served in the classified service at least six months next preceding the transfer; and if from one Executive Department to another at Washington, he must have served at least three years in the Department from which the transfer is proposed; if to or from the Interstate Commerce Commission, the Civil Service Commission, the Isthmian Canal Commission, the Government Printing Office, the Smithsonian Institution, or any other independent bureau, commission, or office at Washington, he must have served at least three years in the bureau, commission, office, or Department from which transfer is proposed; but when, in its judgment, the interests of the service so require the Civil Service Commission may waive the three-year limitation in cases of transfers to or from such independent bureaus, offices, or commissions at Washington."

THEODORE ROOSEVELT.

THE WHITE HOUSE, April 15, 1907.

Order of the President, May 31, 1907, providing for celebration of marriages in the Canal Zone.

Under authority vested in me by law it is ordered:

1. All marriages heretofore celebrated in the Canal Zone, by a minister of any religious society or denomination authorized by the forms and usages of his society or denomination to perform marriages, or by any judicial officer of the Canal Zone, shall be valid, anything contained in the laws of the Republic of Panama heretofore extended to the Canal Zone¹³⁷ to the contrary notwithstanding.

2. Any judicial officer of the Canal Zone or minister of any religious society or denomination in good standing shall be authorized to celebrate marriages within the Canal Zone; provided that the contracting parties shall first have procured a marriage license of the circuit clerk of the circuit in which the marriage is to be performed. But no such license shall be issued unless the clerk is satisfied from the oaths of the parties and by other available evidence that the man to be married is not less than seventeen and the woman not less than fourteen years of age, and that no legal impediment to the marriage is known to exist.

3. The judicial officer or minister performing the marriage ceremony shall certify that fact upon and return the marriage license to the circuit clerk issuing the same, for registration. The circuit clerk shall be entitled to collect a fee of two dollars, gold, for issuing and recording the return of each marriage certificate.¹³⁸

¹³⁶ See note 1, p. 19 of this volume.

¹³⁷ Supersedes Executive Order of Mar. 13, 1907, p. 60, and Art. 126, p. 44, and Art. 50, law of 1887, p. 560, of Colombia-Panama Civil Code.

¹³⁸ Heretofore no license required, and only record was in the Civil Register kept by municipal secretary and, later, by the tax collector as provided in sec. 2, Executive Order of Mar. 13, 1907, p. 60. Executive Order of July 3, 1914, p. 177, defines duties of clerk of the new district court relating to marriage licenses and property registry.

4. Any judicial officer or minister within the Canal Zone violating the provisions of this order shall be guilty of a misdemeanor.
Effective June 1, 1907.

THEODORE ROOSEVELT.

THE WHITE HOUSE, May 31, 1907.

Order of the President, June 5, 1907, amending civil-service rules relative to transfers.

Amendment to Civil Service Rule X.

Section 8, clause (a), of Rule X, is hereby amended to read as follows:

"(a) He must have received absolute appointment and have actually served in the classified service at least six months next preceding the transfer; and if from one Executive Department to another at Washington, he must have served at least three years in the Department from which the transfer is proposed; if to or from the Interstate Commerce Commission, the Civil Service Commission, the Isthmian Canal Commission, the Government Printing Office, the Smithsonian Institution, or any other independent bureau, commission, or office at Washington he must have served at least three years in the bureau, commission, office, or Department from which transfer is proposed; but when, in its judgment, the interests of the service so require, the Civil Service Commission may waive the three-year limitation in cases of transfers to or from such independent bureaus, offices, or commissions at Washington.

"The transfer of persons in the classified service in offices under the supervision of one of the nine Executive Departments but established and located outside such Departments—as for instance, employees and subordinates in postoffices, pension agencies, customhouses, ordnance establishments, subtreasuries, navy yards, quartermasters' establishments, the field service of the Reclamation Service, and other services in like position—shall not be allowed where the person whose transfer is proposed has not served three years in the branch of the Executive Department from which his transfer is desired, unless the provisions of this section are waived by the Civil Service Commission in cases in which in its judgment the interests of the service so require. Transfers between the Executive Departments or independent bureaus, commissions, or offices, and the field services shall be subject to the regulation last mentioned."

THEODORE ROOSEVELT.

THE WHITE HOUSE, June 5, 1907.

Order of the President, June 11, 1907, authorizing transfer of George S. Fox from Isthmian service to a classified position in the United States.¹³⁹

Mr. George S. Fox, bookkeeper at \$1,500 per annum, in the Isthmian Service, may be transferred to a classified position in the United States.

THEODORE ROOSEVELT.

THE WHITE HOUSE, June 11, 1907.

Order of the Secretary of War, June 22, 1907, amending act No. 24 of the Commission relative to administration of estates of deceased employees on the Isthmus.

By authority of the President of the United States, it is ordered:

That Act No. 24, enacted by the Isthmian Canal Commission by authority of the President under date of March 1, 1905, entitled "An Act providing for an inexpensive method of Administration upon the Estates of Employees of the Government of the Canal Zone, or of the Isthmian Canal Commission, who are citizens of the United States and who die in the Canal Zone, Isthmus of Panama, leaving estates of small value upon which regular administration is deemed inadvisable," be, and the same is hereby, amended by inserting in the third line of Section 1,¹⁴⁰ after the words "Canal Zone," the words "or the Panama Railroad Company."

Effective July 1, 1907.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., June 22, 1907.

¹³⁹ Revoked by order of Aug. 3, 1907, p. 67.

¹⁴⁰ L. C. Z. 254. Further amended by Executive Order of July 21, 1909, p. 89, to include "all estates not exceeding \$1,000 in value." All repealed by Executive Order of Feb. 5, 1912, p. 126.

Order of the President, July 1, 1907, transferring purchase of material and supplies to supervision of Chief of Engineers, U. S. Army.

Under authority vested in me by law it is ordered:

1. On and after July 1, 1907, the purchase of materials and supplies for the Isthmian Canal Commission shall be transferred to the supervision of the Chief of Engineers of the Army, who shall maintain a Purchasing Department in the offices of the Isthmian Canal Commission in Washington.

2. Officers of the United States shall draw no additional compensation for services rendered in connection with the Purchasing Department of the Isthmian Canal Commission.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *July 1, 1907.*

Order of the President, Aug. 3, 1907, revoking order authorizing transfer of George S. Fox to classified position.

The Executive Order of June 11, 1907,¹⁴¹ providing for the transfer of Mr. George S. Fox from the Isthmian Canal Service to the Federal Classified Service is hereby revoked.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *August 3, 1907.*

Order of the President, Aug. 12, 1907, fixing salary of Lieut. Col. W. C. Gorgas and Jackson Smith.

Under authority vested in me by law it is ordered:

Effective August 12, 1907, the salaries of Lieut.-Col. W. C. Gorgas¹⁴² and Jackson Smith,¹⁴³ Isthmian Canal Commissioners, are fixed at \$14,000 per annum.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *August 12, 1907.*

Order of the President, Aug. 15, 1907, reorganizing Washington office of the Commission.¹⁴⁴

Under authority vested in me by law, it is ordered:

1. Offices for the convenient execution of its business within the United States shall be maintained by the Isthmian Canal Commission in Washington.

2. The following officers and employees of the Commission and their necessary force of assistants shall be provided with quarters therein: the General Counsel, General Purchasing Officer, Disbursing Officer, in the United States, Assistant Examiner of Accounts, Appointment Clerk, Chief of Record Division, and Chief Draftsman.

3. The General Purchasing Officer shall provide the necessary offices and their appointments, and shall have general charge and custody of the same and of the discipline of the clerical force. Appointments in the United States of Commission employees shall be made by him, subject to the rules of the civil service law and of the Commission. He shall have charge of the records and archives of the offices, and of the distribution of correspondence.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *August 15, 1907.*

¹⁴¹ p. 66.

¹⁴² Colonel Gorgas continued as Commissioner until Commission went out of existence as of Apr. 1, 1914. See also act of Congress of Mar. 4, 1915 (T. & A. 123), providing for recognition of services of certain officers in connection with construction of the Panama Canal.

¹⁴³ Commissioner Smith resigned Sept. 15, 1908, and was succeeded as Commissioner by Lieut. Col. H. F. Hodges. The latter remained with Commission during its continuance, and was also among the officers named in act of Congress of Mar. 4, 1915, recognizing services of certain officers in connection with construction of the Panama Canal.

¹⁴⁴ Executive Order of Mar. 2, 1914, p. 162, provides for a provisional organization of the permanent Washington Office.

Order of the President, Aug. 15, 1907, reorganizing disbursing and accounting systems.

Under authority vested in me by law it is ordered:

1. That on and after August 15, 1907, the positions of General Auditor and Local Auditor ¹⁴⁵ be abolished.

2. That there be appointed for the Commission upon the Isthmus an Examiner of Accounts, and in Washington, D. C., an Assistant Examiner of Accounts.

3. The duties of the Examiner of Accounts on the Isthmus shall be:

(a) To inspect and examine all vouchers prepared and paid by the Disbursing Officer on the Isthmus.

(b) To inspect from time to time the accounts of all officials of the Commission on the Isthmus charged with the care of the funds or property of the Commission, and to annually verify property accounts by an inventory of all property.

(c) To semi-annually, or oftener if public interests seem to require, count the cash in the hands of disbursing officers and other officials on the Isthmus intrusted with the custody of funds of the Commission or of the Canal Zone Government.

(d) To check up from time to time as the interests of the Commission seem to require, through inspectors to be appointed by him, the returns of laborers and employees working by the day or upon an hourly basis in any of the several departments or divisions of the Commission. Inspectors now charged with similar duties under the Disbursing Officer shall be transferred to the jurisdiction of the Examiner of Accounts.

(e) To check from the appointment records the pay rolls of employees engaged upon a monthly or yearly basis.

(f) To examine periodically the general books of the Commission kept by the Disbursing Officer.

(g) To keep a record of claims payable to and of accounts and bills receivable by the Commission, and to check against the same collections made by the Disbursing Officers. It shall also be his duty to direct the attention of the Disbursing Officers from time to time to unsettled claims, accounts, or bills receivable by the Commission, and to urge their collection. Statements of all claims due the Commission or bills and accounts receivable shall be promptly transmitted by the department whence they originate to the Examiner of Accounts in order that he may have an independent record of the claims, accounts and bills receivable with the collection of which the Disbursing Officer is charged. The original evidence or documents supporting such claims, accounts, or bills receivable shall be transmitted to the Disbursing Officer for collection.

(h) All vouchers for accounts payable or receivable shall be examined and checked by him as soon after payment as practicable. He shall, also, at a later period and as promptly as possible after transmission to him of the Disbursing Officer's account current, certify thereon his administrative examination of and transmit the same, together with accompanying vouchers, to the Auditor for the War Department, for final audit. He shall not, however, keep duplicate sets of vouchers or of the documentary or other evidence from which the vouchers are prepared, but may keep a voucher register.

(i) If he dissents from any voucher paid by the Disbursing Officer, he shall note his exceptions and submit the same to the Disbursing Officer for correction, before the latter's account current is made up. If an agreement shall not be arrived at between the Examiner of Accounts and the Disbursing Officer, a statement of the unadjusted differences shall be transmitted by the Examiner to the Auditor for the War Department, with the Disbursing Officer's account current.

(j) He shall also audit the accounts of the Canal Zone Government.

(k) He shall be appointed by and report to the Chairman of the Isthmian Canal Commission, and it shall be his duty to call the attention of the Chairman to any irregularities in the accounts or books of any officer or employee of the Commission.

4. The duties of the Disbursing Officer on the Isthmus, in addition to the payment and disbursement of the funds of the Commission upon properly prepared vouchers, shall be:

(a) To assemble the original documents, papers, and other evidence from which the vouchers are prepared.

(b) To collect all claims due the Commission or accounts and bills receivable.

(c) To keep property accounts with the various officers upon the Isthmus charged with the custody or use of property.

¹⁴⁵ Created by Executive Order of Nov. 5, 1905, p. 44. See Executive Order of Jan. 27, 1914, p. 155, providing for permanent organization, including Accounting Department. Governor's Circular No. 660-2 defines duties of Auditor, Paymaster, and Collector. See generally 656 to 659 series of circulars.

(d) To keep the general books of the Commission, which shall properly classify all expenditures made by the Commission and apportion expenditures and the cost of labor and supplies among the several departments in the proportion in which they are used by the several departments.

(e) To furnish access at all times to his books, original papers, and documents, to the Examiner of Accounts and his representatives.

(f) To distribute expenditures made by the Commission under the proper appropriation heads.

(g) His books shall show the amount expended by each of the several departments during each calendar month and from the beginning of the work, and exhibit comparative statements of expenditures for the same calendar month of the previous year.

(h) His books shall likewise contain an exhibit of the work done by each department of the Commission, and by the Commission as a whole, and shall show the comparative cost of doing similar work between corresponding annual dates and between the several departments.

(i) In the total cost of the work, as performed by the several departments and by the Commission as a whole, account shall be taken of the general expenditures of the Commission, whether on the Isthmus or in the United States.

(j) He shall transmit weekly abstracts of the general books to the Disbursing Officer at Washington, in order that duplicates of the same may be kept in the United States.

(k) Requisitions for public funds shall be submitted to the Examiner of Accounts, for notation.

5. The Assistant Examiner of Accounts, so far as the requirements of the work in the United States demand or permit, shall perform for the Commission in the United States similar duties to those performed by the Examiner of Accounts on the Isthmus, and shall likewise inspect the accounts of Special Disbursing Officers not employed on the Isthmus, which shall be forwarded to him at Washington for that purpose before transmission to the Auditor for the War Department. Abstracts of approved expenditures by the Special Disbursing Officers shall be periodically transmitted by him to the Disbursing Officer upon the Isthmus, for entry in the general books.

6. The Disbursing Officer in the United States, so far as the requirements of the work in the United States demand or permit, shall perform duties corresponding to those of the Disbursing Officer on the Isthmus, except that the general books kept by him shall only be duplicates of the general books kept by the Disbursing Officer on the Isthmus. He shall weekly transmit to the Disbursing Officer on the Isthmus abstracts of all payments, disbursements, and collections made by him and statements of approved vouchers outstanding.

7. The original documents from which the vouchers are prepared shall be transmitted to the Auditor of the Treasury for the War Department by the several Disbursing Officers, with their accounts current, through the Examining Officers. Duplicates of such documents, however, shall be retained in the offices of the several Disbursing Officers, as part of the records of the Commission.

THEODORE ROOSEVELT.

THE WHITE HOUSE, August 15, 1907.

Order of the Secretary of War, Aug. 15, 1907, appointing Maj. H. F. Hodges, U. S. Army, as General Purchasing Officer of the Commission and prescribing approval for vouchers.

Effective this date, Major Harry F. Hodges, is appointed General Purchasing Officer of the Isthmian Canal Commission, under the supervision of the Chief of Engineers of the United States Army.¹⁴⁶

Requisitions for advancement of funds and supplies, and all vouchers before payment, payable in the United States from appropriations of the Isthmian Canal Commission, shall be approved by the General Purchasing Officer, for and on behalf of the Chairman of the Commission; and vouchers for payment for supplies purchased through the Purchasing Department in the United States shall, in addition, be certified to be correct by the Chief Clerk of the Purchasing Department, who shall also have power to receipt for the supplies.

In the absence of the General Purchasing Officer, vouchers shall be approved by any one who may be designated by the Chairman to act for the General Purchasing Officer in the latter's absence.

By direction of the President.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., August 15, 1907.

¹⁴⁶ See note 2 under Executive Order of Aug. 12, 1907, p. 67, relating to appointment of Colonel Hodges as member of Commission.

Order of the Secretary of War, Aug. 15, 1907, providing for payment of compensation to Panaman members of the joint tribunal.

By direction of the President, it is ordered:

That C. Arosemena and S. Lewis, representatives of the Republic of Panama upon the joint tribunal assembled under Article VI of the Treaty between the United States and the Republic of Panama proclaimed February 26, 1904, during the current year, be paid fifteen dollars per day for the time actually employed by them as members of the joint tribunal.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., August 15, 1907.

Order of the Secretary of War, Aug. 17, 1907, providing for payment of traveling expenses of B. S. Ambler and Montgomery Blair, members of the Joint Commission.

By direction of the President, it is ordered:

That Messrs. B. S. Ambler and Montgomery Blair, joint commissioners under Articles VI and XV of the Treaty between the United States and the Republic of Panama of February 26, 1904, be allowed their traveling expenses and per diem from the time they left Washington until their return to Washington.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., August 17, 1907.

Order of the Secretary of War, Sept. 4, 1907, ratifying contract between the Commission and the Republic of Panama respecting water rates in the city of Panama.

By direction of the President, it is ordered:

Contract between the Isthmian Canal Commission and the Republic of Panama as approved by the Commission June 7th, as modified by the Isthmian Canal Commission and the Republic of Panama and approved by the Commission August 15, 1907, is hereby approved.¹⁴⁷

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., September 4, 1907.

NOTE.—The above order relates to the agreement respecting water rates in the City of Panama.¹⁴⁷

Order of the Secretary of War, Sept. 4, 1907, amending liquor regulations permitting sale in restaurants, hotels, etc.

By direction of the President, it is ordered:

That resolution adopted by the Isthmian Canal Commission at a meeting held on August 1, 1907, reading as follows, is hereby approved:

Resolved, That the regulations respecting the sale of intoxicating liquors in the Canal Zone, approved at the one hundred and twenty-fifth meeting of the Commission held April 27, 1907,¹⁴⁸ be, and the same are hereby, amended, by inserting at the end of Section 11, as a part thereof, the following:

"This Section is not intended to prevent the proprietor of any hotel or restaurant, holding a license for the sale of liquor in a room in the same building with such hotel or restaurant, from serving to guests in the dining room of such hotel or restaurant, with bona fide meals, liquors sold at his bar in the same building."

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., September 4, 1907.

¹⁴⁷ Published in pamphlet form, with amendments.

¹⁴⁸ See ordinance respecting the sale of intoxicating liquors in the Canal Zone. (L. C. Z. 257.)

Order of the Secretary of War, Sept. 13, 1907, authorizing payment of \$15 per day to Ramon Arias F., Panaman member of joint tribunal.

By direction of the President, it is ordered:

That Ramon Arias F., a representative of the Republic of Panama upon the joint tribunal assembled under Article VI of the Treaty between the United States and the Republic of Panama proclaimed February 26, 1904, during the current year, be paid fifteen dollars per day for four days' time actually employed by him as a member of the joint tribunal.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., September 13, 1907.

Order of the Secretary of War, Sept. 13, 1907, amending tax regulations to permit of baseball, etc., without license fee.

By direction of the President, it is ordered:

That Resolution of the Isthmian Canal Commission of August 31, 1907, amending paragraph 2 of sub-section i of Section 7 of the regulations providing for certain taxes and licenses in the Canal Zone, other than for the sale of intoxicating liquors, adopted by the Isthmian Canal Commission, April 27, 1907,¹⁴⁹ so as to read as follows, is hereby approved:

"SEC. 7. (i).

"(2) Minstrel, musical, variety, and all other similar shows or exhibitions given under canvas or within an enclosure, \$5 for each performance or exhibition."

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., September 13, 1907.

Order of the Secretary of War, Sept. 25, 1907, authorizing purchase of bricks from Rogers & Co., of Baranquilla, Colombia.

By direction of the President, it is ordered:

That the purchase of 464,000 sand-lime building bricks of Rogers & Company of Baranquilla, Colombia, at \$14.50 per thousand delivered free of all charges on dock at Colon, Isthmus of Panama, is hereby approved.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., September 25, 1907.

Order of the Secretary of War, Oct. 16, 1907, amending sewer and water regulations.

By direction of the President, it is ordered:

The resolution of the Isthmian Canal Commission adopted at a meeting held at Culebra, September 25, 1907, amending Section 5 of the Rules and Regulations Governing the Sanitary Installation of Water and Sewers in the Cities of Panama and Colon,¹⁵⁰ Republic of Panama, approved at the one hundred and thirteenth meeting of the Isthmian Canal Commission, held July 9, 1906, is hereby approved in the form following:

SECTION 5. All buildings that are now or may hereafter be erected, abutting on or adjacent to any street in which there is an accessible public sewer or water main, shall be connected with one or both thereof, as the case may be, and proper sanitary fixtures installed, in strict accordance with the terms and conditions of these "Rules and Regulations," upon written notice from the Superintendent of Public Works, unless permission to omit such connection and sanitary fixtures is specifically given in writing by the Chief Sanitary Officer of the Government of the Canal Zone, a copy of such permission being forwarded to the Superintendent of Public Works by the Chief Sanitary Officer. Where permission is not given in writing to omit such

¹⁴⁹ See ordinance (L. C. Z. 263).

¹⁵⁰ See pamphlets relating to water and sewers and sanitary regulations for cities of Panama and Colon.

connections with sewer or water main, or both, and such sanitary fixtures as above provided, the owner or representative of the owner of said premises must comply with the written order of the Superintendent of Public Works and make said connections, and install proper sanitary fixtures, in strict accordance with the terms and conditions of these "Rules and Regulations" within thirty days from the receipt of such written notice from the Superintendent of Public Works; and in the event that said owner or representative of said owner fails, neglects, or refuses to comply with the said written notice, it shall be lawful for the Superintendent of Public Works to make such connections and install said sanitary fixtures, in accordance with the terms and conditions of these "Rules and Regulations," and the entire expense incurred thereby shall be chargeable against said property, become a lien thereon, and be collected in the manner in which water rents are collected. Every building used as a dwelling house shall have at least one water-closet for each family, also one sink and one bath. In a tenement, lodging-house, or hotel, there must be at least one water-closet for every 15 persons and one bath for every 25 persons. All applications for the installation of water fixtures or for making sewer connections shall be first submitted to the Health Officer and by him approved.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., October 16, 1907.

POWERS OF THE ISTHMIAN CANAL COMMISSION AND ITS CHAIRMAN NEWLY DEFINED.

The Executive Order of November 17, 1906,¹⁵¹ is hereby modified as follows:¹⁵²

The Commission shall hold sessions upon the Isthmus at the call of the Chairman. Four members shall constitute a quorum and the action of such majority shall be the action of the Commission.

The Commission, under the supervision of the Secretary of War and subject to the approval of the President, is charged with the general duty of the adoption of plans for the construction and maintenance of the Canal; with the employment and the fixing of the compensation of engineers or other persons necessary for the proper and expeditious prosecution of said work; with the making of all contracts for the construction of the canal or any of its needful accessories; with the duty of making to the President annually, or at such other periods as may be required either by law or the order of the President, full and complete reports of all their actings and doings and of all moneys received and expended in the construction of said work and in the performance of their duties in connection therewith; and with the duty of advising and assisting the Chairman in the execution of the work of canal construction, with the government and sanitation of the Canal Zone and with all matters of sanitation in the cities of Panama and Colon and the harbors thereof, and with the purchase and delivery of supplies, machinery, and necessary plant.

For the proper prosecution of the work, the organization shall be divided by the Chairman, with the approval of the Secretary of War or the President, into such departments as seem advisable.¹⁵³

Among such departments shall be a Department of Construction and Engineering, which may be subdivided into divisions in the discretion of the Chairman, who will also be the Chief Engineer.

A Department of Civil Administration, charged with the duty of administering the civil government within the Canal Zone.

A Department of Law, charged with the general supervision of the legal matters pertaining to the Commission, whether in the United States or on the Isthmus of Panama, including the acquisition of right of way and the adjustment of land damages.

A Department of Sanitation, charged with the duty of preserving the sanitation and health conditions upon the Isthmus.

A Purchasing Department, charged with the purchase of all supplies, machinery, and necessary plant.

¹⁵¹ p. 55.

¹⁵² The organization as herein modified continued until the permanent organization of The Panama Canal was established by Executive Order of Jan. 27, 1914, p. 155. See generally the 660 series of Governor's Circulars on the reorganization as of April 1, 1914.

¹⁵³ See 183 series of circulars of Chairman of Commission for subsequent changes during the life of the Commission.

A Department of Disbursements, charged with the preparation of vouchers and the disbursement of funds for the Commission, and with the keeping of the general books of the Commission, upon the Isthmus.

A Department of Examination of Accounts, charged with the duty of examining into and checking the accounts of the persons charged with the custody and disposition of the property and funds of the Commission.

A Department charged with the duty of employing the necessary common labor for the Commission; with the keeping of the personal records of employees; with the care of quarters; and with the operation of Commission hotels and mess-houses.

Each of the foregoing Departments shall discharge such further duties as may be assigned to it from time to time by the Chairman; and the Chairman, with the approval of the Secretary of War or the President, may transfer from time to time specific duties from one Department to another.¹⁵⁴

The Heads of the several Departments shall be appointed by and report to the Chairman, and their salaries, except as otherwise provided, shall be fixed by him, subject to the disapproval of the Commission.

Officers and employes in the several Departments shall be appointed and their salaries primarily fixed by the Head of the Department in which they are engaged, after consultation with the Chairman of the Commission.

Contracts for the purchase of supplies, involving an estimated expenditure exceeding \$10,000, shall be made only after due public advertisement in newspapers of general circulation, and shall be awarded to the lowest responsible bidder, except in case of emergency, when, with the approval of the Secretary of War, advertising may be dispensed with.

In the making of contracts for supplies or construction involving an estimated expenditure of more than \$1,000 and less than \$10,000, competitive bids shall be secured by invitation or advertisement whenever practicable.

The Head of each Department shall make a report upon the work and operation of his Department to the Chairman of the Commission as often as may be required.

The Chairman of the Commission shall make a report to the Secretary of War setting forth the results accomplished by each Department of the work at least annually, and as often as he may deem advisable or the Secretary may require.

The Secretary of War shall make to the President a report at least annually and as often as he may deem advisable or the President may require.

All members of the Commission shall reside upon the Isthmus, except when on leave of absence, which will be granted to members of the Commission by the Chairman and to the Chairman by the Secretary of War.

In case of absence from the Isthmus, the Chairman will designate a member of the Commission to act in his stead.

All Executive Orders relating to the Panama Canal excepting so far as they may be inconsistent with the present Order, remain in force.

Effective this date, January 6, 1908.

THEODORE ROOSEVELT.

Letter of the Secretary of War, Jan. 5, 1908, transmitting draft of foregoing order to the President.

WAR DEPARTMENT,
Washington January 5, 1908.

MY DEAR MR. PRESIDENT: I enclose herewith a form of Executive Order for your signature, defining the duties of the Isthmian Canal Commission, the duties of the Chairman of the Commission, and the duties of the Secretary of War in relation to Canal matters. This order makes substantially no change in the authority of the Commission, the Chairman and Secretary of War as now exercised, except perhaps in respect to a few duties of a detailed executive character which are transferred from the Commission to the Chairman, leaving the Commission still in general charge of the construction of the Canal, as provided by law. Canal matters have been conducted under previous Executive Orders with informal amendments from time to time which

¹⁵⁴ Executive Order of Apr. 25, 1908, p. 79, transfers construction and repair of public works in the Canal Zone from Supt. Public Works to Dept. Engineering and Construction, and the maintenance of public oil lights from Supt. Public Works to Dept. of Labor, Quarters, and Subsistence. Executive Order of Sept. 17, 1908, p. 82, effects various changes in the Dept. of Civil Administration. See also 183 series of circulars of the Chairman.

it is difficult for anyone not very familiar with the history of Canal matters either to find or understand. For that reason, it seems wise now to cover the matter by a new order which is not an amendment or a change except as to the unimportant details referred to, but merely a comprehensive revision of existing provisions.

Very sincerely yours,

WM. H. TAFT.

THE PRESIDENT.
Enclosure.

Order of the President, Jan. 9, 1908, providing punishment for vagrancy, intoxication, and disorderly conduct in the Canal Zone.

Under authority vested in me by law, it is ordered:

That Title XIV, of Act No. 14 of the Penal Code of the Laws of the Canal Zone be amended, effective January 15, 1908, by adding thereto the following section:

SECTION 293-A.¹⁵⁵

SUB-SECTION 1. Every vagrant or person found within the Canal Zone without legitimate business or visible means of support;¹⁵⁶ and

SUB-SECTION 2. Every mendicant or habitual beggar found within the Canal Zone;¹⁵⁷ and

SUB-SECTION 3. Every person found within or loitering about any laborers' camp, mess house, quarters, or other Isthmian Canal Commission building, or any railroad car, or station, or other building of the Panama Rail Road Company, or any dwelling or other building owned by any private person, without due and proper authority and permission so to be; or peddling goods or merchandise about any laborers' camp or mess house during hours when laborers are ordinarily employed at work, or in or about places where groups of men are at work; and

SUB-SECTION 4. Every person found in the Canal Zone in an intoxicated condition or under the influence of liquor;¹⁵⁸ and

SUB-SECTION 5. Every person who shall, in the Canal Zone, engage in any kind of disorderly conduct¹⁵⁹ or breach or disturbance of the peace;¹⁶⁰ shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$25, or by imprisonment in jail not to exceed 30 days, or by both such fine and imprisonment.

THEODORE ROOSEVELT.

THE WHITE HOUSE, January 9, 1908.

Order of the President, Jan. 9, 1908, providing for disposition of unclaimed freight and baggage.

Under authority vested in me by law, it is ordered:

1. Whenever there shall remain in the possession of any common carrier within the Canal Zone any freight, baggage, or other property, transported by or deposited with the common carrier at any point within the Canal Zone, which shall have remained unclaimed by the owner or consignee for a period of six months, and upon which there shall remain unpaid or shall have accumulated freight charges or charges for handling and storage, it shall be lawful for the common carrier to sell the same at public auction, at some designated point within the Canal Zone, after having advertised the sale, with a short description of the property to be sold, for a period of three weeks in some newspaper of general circulation within the Canal Zone.

2. In all cases where any such property is of a perishable character, the carrier shall be authorized to apply to any judge of the circuit court within the Canal Zone, or, if the property shall be of less value than one hundred dollars, to any district judge within the Canal Zone, upon an affidavit describing briefly the property to be sold, its unclaimed state, and its perishable character, for an order for immediate sale, upon such terms as to notice as the nature of the case may admit of, and as to such court or courts as shall seem proper.

¹⁵⁵ L. C. Z. 138.

¹⁵⁶ This subsection was embodied in the old municipal ordinances.

¹⁵⁷ See sec. 1, Executive Order of Feb. 6, 1917, p. 220, relative to exclusion from Canal Zone of professional beggars, gypsies, etc.

¹⁵⁸ Sec. 266, Penal Code (L. C. Z. 134), provides for punishment of certain railroad train employees found intoxicated on the work.

¹⁵⁹ See Reports of Supreme Court of Canal Zone, vol. 2, p. 79, case of Canal Zone v. Blissett & McPherson, for interpretation of term "disorderly conduct," as used in above Executive Order.

¹⁶⁰ See also secs. 290-291, Penal Code (L. C. Z. 138), relating to disturbance of peace, fighting, profane language, etc.

3. Before advertising the property for sale the same shall be opened by the carrier, and if it contains any indication of the owner or consignee, a written notice of the existence of the unclaimed property and of the intention to sell the same at public auction shall be mailed by the carrier to the owner or consignee, at any indicated address, four weeks before the date of actual sale.

4. The residue of moneys received from such sale under the foregoing sections, after deducting the accumulated charges for transportation, cost of handling and storage, demurrage, and the cost and expense of the proceedings authorizing the advertising and sale, shall be held for a period of three years, and shall be paid to the owner of such freight, baggage, or other property, on demand. If at the end of the three-year period the said residue shall not have been claimed by the owner, it shall be paid into the Treasury of the Canal Zone Government, to the credit of the public school fund.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 9, 1908.*

Order of the President, Jan. 9, 1908, dividing the Canal Zone into three judicial districts.

Under authority vested in me by law, it is ordered:

That Section 22¹⁶¹ of Act No. 1 of the Laws of the Canal Zone is hereby amended to read as follows:

SECTION 22.—The Canal Zone, Isthmus of Panama, shall be divided into three Judicial Circuits.

The First Judicial Circuit shall be composed of the Administrative District of Ancon.

The Second Judicial Circuit shall consist of the Administrative Districts of Emperador and Gorgona.¹⁶²

The Third Judicial Circuit shall be composed of the Administrative District of Cristobal.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 9, 1908.*

Order of the President, Jan. 9, 1908, providing for fines to prevent Chinese escaping on the Canal Zone.

Under authority vested in me by law, it is ordered:

1. That, until further ordered,¹⁶³ Law No. 6, of March 11, 1904, of the Republic of Panama, as applied and construed by the Executive Decree of April 15, 1904, is hereby extended to and made applicable to the Canal Zone.

2. The fines provided for in the said law shall apply to any company or individual who shall omit to prevent the escape of any transient of the nationality named in said law into the Canal Zone, and shall in all cases be imposed by the court of the Canal Zone district in which the violation of the law occurs, upon information of the Collector of Revenue or of the Prosecuting Attorney of the Canal Zone.

This order shall not apply to any individuals introduced by the Isthmian Canal Commission or by its authority, for the purpose of temporarily laboring upon or in connection with the construction of the Isthmian Canal.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 9, 1908.*

Order of the President, Jan. 27, 1908, amending civil-service Rule VIII on temporary appointments.

Rule VIII of the civil service rules is hereby amended to read as follows:

RULE VIII.—TEMPORARY APPOINTMENT.

1. Temporary appointment without examination and certification by the Commission shall not be made to a competitive position in any case except when the public interest so requires and then only upon the prior authorization of the Commission;

¹⁶¹ Sec. 22 of act No. 1 as it appears on page 14 of Laws of the Canal Zone reads as amended by act No. 19 of the Commission.

¹⁶² Administrative District of Gorgona abolished and the territory formerly embraced in said district incorporated into the Administrative District of Empire, formerly Emperador, by Executive Order of Sept. 12, 1912, p. 130.

¹⁶³ Repealed by the Executive Order of Feb. 6, 1917, pp. 222, which order relates to exclusion of Chinese from the Canal Zone.

and any appointment so authorized shall continue only for such period as may be necessary to make appointment through certification of eligibles and in no case without prior approval of the Commission shall extend beyond thirty days from receipt by the appointing officer of the Commission's certificate; and when a vacancy is to be filled by promotion or transfer for which the Commission's certificate is not required and a temporary appointment is authorized by the Commission under the provisions of this section pending the promotion or transfer, such temporary appointment shall in no case continue beyond the period of thirty days, without prior approval of the Commission.

2. When there are no eligibles upon a register for any grade in which a vacancy exists and the public interest requires that it be filled before eligibles can be provided by the Commission, then the Commission may authorize temporary appointment without examination. Such appointment shall continue only for such period as may be necessary to make appointment through certification and in no case without prior approval of the Commission shall extend beyond thirty days from the receipt by the appointing officer of the Commission's certification of eligibles.

3. When there is at least one eligible and not more than two eligibles on a register for any grade in which a vacancy exists, the Commission shall, upon requisition from the proper appointing officer, certify the name of the one eligible or the names of the two eligibles, which shall be considered by the appointing officer with a view to probational appointment; and if the appointing officer shall elect not to make probational appointment from such certificate of less than three names, then if temporary appointment is required it shall be made from such certificate unless reasons satisfactory to the Commission are given why such appointment should not be made. Such temporary appointment may continue until three eligibles are provided. If selection is not made from the certificate for either probational or temporary appointment under the provisions of this section, then temporary appointment, if required, may be made under the provisions of section 2 of this rule.

4. When there is work of a temporary character, at the completion of which the services of an additional employee will not be required, a temporary appointment may be made with the prior consent of the Commission for a period not to exceed three months, and may with like consent of the Commission be extended for a further period of three months. Such temporary appointment shall be made through certification from the Commission's eligible registers unless the Commission shall decide in any case that there are no available eligibles. Such temporary appointment shall not extend beyond six months unless there are no eligibles available for the additional period or under unusual circumstances which seem to the Commission to justify an extension beyond six months; and in no case shall such temporary appointment extend beyond six months for any purpose other than to complete the job of work for which the person was originally employed. The Commission may restrict certification for temporary appointment to such eligibles as by reason of residence or other conditions are immediately available.

5. The acceptance of an eligible of a temporary appointment shall not affect his standing on any register for permanent employment, and experience gained as a temporary appointee shall in no way vary the order of certification for permanent appointment. A temporary appointment may be made permanent when the temporary appointee is within reach for permanent appointment at the time of his temporary appointment or in case he is so within reach during his temporary service. In such case the probational appointment may date from the time when he became within reach for probational appointment. A person who has been temporarily employed under the provisions of one section of this rule shall not for that reason be ineligible for employment under any other section. Any appointment under sections 1, 2, or 3 of this rule shall be promptly reported by letter to the Commission, as made, with a statement of the action taken for making permanent appointment. The Commission is authorized to inspect the records of any Department or office to aid it in observing and enforcing the operation of the provisions of this rule and reporting thereon to the President.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 27, 1908.*

Order of the President, Feb. 6, 1908, establishing jury trials in the Canal Zone.

Under authority vested in me by law, it is ordered:

1. In all criminal prosecutions in the Canal Zone wherein the penalty of death or imprisonment for life may be inflicted, the accused shall enjoy the right of trial by an

impartial jury¹⁶⁴ of the district in which the crime shall have been committed, to be chosen as follows:¹⁶⁵

2. The clerk of the circuit court, the district judge, and the collector of revenue for the administrative district within the circuit in which the crime shall have been committed, shall constitute a jury commission for that circuit. In the second judicial district, the district judge and the collector of revenue to be members of the jury commission shall be designated by the circuit judge, upon this order becoming effective and annually thereafter, or as often as a vacancy may occur in the jury commission.¹⁶⁶

3. Prior to the first day of the term of any circuit court, upon application of the prosecuting attorney, or by direction of the judge of the circuit in which the crime shall have been committed, the jury commission shall assemble and select the names of sixty male residents of the Canal Zone, between the ages of twenty-one and sixty-five years, in good standing and in full possession of their ordinary faculties, who shall have resided within the Canal Zone for not less than three months previously, and who shall be able to read, write, and understand the English language. Attorneys at law, physicians, ministers of an established religion, members of the military, naval, and police forces, and officers of the Commission of the rank and above the rank of resident engineers, shall be exempt from jury service. The names of the persons so selected shall be written by one of the commissioners upon slips of paper, folded so as to conceal the names, in a uniform manner, and placed in a jury box.

4. Upon the first day of the term, unless an adjournment of the trial beyond the term shall be granted, the judge shall select from the jury box the names of thirty jurors to constitute the panel for the trial of the defendant. The said jurors shall thereupon be summoned by a written notice, served upon them by the marshal of the court, to attend at the trial of the defendant upon a day named. If it appear that any of the jurors whose names have been selected are absent from the Canal Zone, or incapacitated from other cause from attending as jurors, the judge, upon the application of the marshal, shall draw the names of other jurors and direct their summons until a panel of thirty jurors shall be assembled.

5. Upon calling the case for trial, twelve jurors shall be called to try the defendant in the order in which their names shall have been first drawn for summons by the circuit judge. Either side shall have the right to challenge any juror for cause, and, in addition thereto, the defendant and prosecuting attorney shall each have the right to challenge arbitrarily six of the said jurors. If the original panel of thirty shall be exhausted without securing twelve impartial jurors to try the defendant, the names of other jurors shall be drawn by the circuit judge from the jury box and such jurors summoned until the jury shall have been completed.

6. The jury so selected shall, under the instructions of the court, and in conformity with the procedure prevailing in the Federal courts of the United States, determine whether, under the facts as proved, the defendant is guilty or not guilty. They shall conduct their deliberations in secret, and shall return a verdict of guilty or not guilty, which must be unanimous. Sentence shall be pronounced by the court.

7. The circuit judge shall have the discretion to require the jury to be kept together and apart from the public from the time they are sworn until their verdict shall be returned. If they be kept together, suitable provision shall be made by the marshal of the court for their subsistence and lodging. The jurors shall be allowed a jury fee of two dollars for each day actually summoned to court and engaged in the trial of a criminal action.¹⁶⁷ The cost of subsistence and lodging of the jurors and the fees for the juror's attendance shall be paid from the Treasury of the Canal Zone, upon a voucher duly approved by the circuit judge.

8. It shall in all cases be optional with defendants to be tried before a jury as provided for in this order, or under the procedure prescribed in Section 171 of the Laws of the Canal Zone.¹⁶⁸ The accused shall, however, in person or through his attorney, file a written statement with the clerk of the circuit court before which his trial is to

¹⁶⁴ Sec. 8 hereof makes it optional with defendants to be tried before a jury as provided in sec. 1, or under the procedure prescribed in sec. 171 of the Code of Criminal Procedure of the Canal Zone (L. C. Z. 197).

¹⁶⁵ Executive Order of June 30, 1913, p. 149, amends sec. 1 hereof so as to include jury trial in all cases of felonies. See also sec. 8, Panama Canal Act (T. & A. 79) providing that a jury shall be had in any criminal case or civil case at law originating in the District Court on the demand of either party.

¹⁶⁶ Sec. 8, Panama Canal Act, also provides that the judge of the District Court shall provide for the selection, summoning, serving, and compensation of jurors. Sec. 9 of Executive Order of March 12, 1914, p. 163, provides that jurors shall be chosen from among those residing within the division in which they are called upon to serve as jurors. See 701 series of Governor's Circulars relative to employees called as jurors.

¹⁶⁷ Circular 701-1 of the Governor relates to employees summoned as jurors, providing that their time shall be covered without charge against leave.

¹⁶⁸ Of the Code of Criminal Procedure (L. C. Z. 197).

take place, on the first day of the term for which the trial is set, stating the procedure by which he desires to be tried. The procedure having been once selected by the accused can not thereafter be changed, but must be followed with respect to any future trial of the accused for the same offense.*

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 6, 1908.*

Order of the President, Feb. 7, 1908, authorizing reinstatement of Douglas B. Thompson with privilege of transfer to departmental service.

Mr. Douglas B. Thompson, who was separated from the service on the Isthmus of Panama by reason of illness, may be reinstated with the privilege of transfer to the Departmental Service, if it should appear that any Department desires to appoint him in spite of his physical disablement.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 7, 1908.*

Order of the Secretary of War, Feb. 8, 1908, restricting gold employees to American citizens.¹⁶⁹

By authority of the President, it is ordered:

On and after this date, the employment by the Isthmian Canal Commission of skilled laborers, clerks, and all others who have heretofore been known as gold employees of the Commission, shall be restricted to American citizens, except where American labor or service of the character required is not available.

Foreign employees now upon the pay rolls of the Commission shall not be affected by this order, save that in event of any reduction in force preference shall be accorded to American citizens.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., February 8, 1908.

Order of the President, Feb. 21, 1908, authorizing appointment of Edwyn N. Purvis, former Canal employee, to classified service in the United States.

Mr. Edwyn N. Purvis, a former employee of the Isthmian Canal Service may be appointed to a clerkship in the classified service in the United States without regard to the provisions of the civil service rules.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 21, 1908.*

Order of the Secretary of War, Feb. 27, 1908, establishing ordinance for driving automobiles in the Canal Zone.¹⁷⁰

By direction of the President, the following ordinance, adopted at the one hundred and fortieth meeting of the Isthmian Canal Commission, January 30, 1908, is hereby approved:

That any person driving an automobile in the Canal Zone at a speed exceeding fifteen miles an hour on straight roads, or at a speed exceeding eight miles an hour when approaching curves, forks or cross-roads, shall be punished by a fine of not less than five dollars (\$5) nor more than one hundred dollars (\$100) United States currency, or by imprisonment for not more than thirty (30) days, or by both fine and imprisonment at the discretion of the court. The owner of an automobile, if in the car, shall be held responsible for its speed; in the absence of the owner, the person actually driving the automobile shall be held responsible.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., February 27, 1908.

* Request for jury. See p. 294.

¹⁶⁹ See sec. 6, Executive Order of Feb. 2, 1914, p. 158, providing conditions of employment for the permanent force for The Panama Canal.

¹⁷⁰ Repealed by Executive Order of Feb. 28, 1912, p. 128.

Order of the Secretary of War, Feb. 27, 1908, fixing charges to be paid by République of Panama for care of her indigent sick, lepers, etc., in Commission hospitals.

Whereas, by Section 11 of an order effective December 12, 1904,¹⁷¹ assented to by the Republic of Panama, it was provided that the Republic of Panama should contribute and pay to the United States a reasonable daily per capita charge in respect of each person insane or afflicted with the disease of leprosy, or indigent sick, entering, upon the request of the Republic, hospitals maintained or controlled by the United States, the said per capita charge to be fixed by the Secretary of War;

Now, therefore, it is ordered that on and after March 15, 1908, the charge to be paid by the Republic of Panama for all such patients admitted to the aforesaid hospitals at the request of the Republic be fixed at seventy-five cents gold per day per capita.¹⁷²

By direction of the President.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., February 27, 1908.

Order of the President, Mar. 31, 1908, amending order establishing jury trials in the Canal Zone.

Under authority vested in me by law, it is ordered:

Executive Order No. 750, dated February 6, 1908,¹⁷³ providing for a system of jury trials in criminal prosecutions in the Canal Zone wherein the penalty of death or imprisonment for life may be inflicted, is hereby modified by striking out of lines 1 and 2, section 2, and out of lines 4 and 5 of the same section, the words "collector of revenue" and inserting in lieu thereof the words "tax collector."

THEODORE ROOSEVELT.

THE WHITE HOUSE, March 31, 1908.

Order of the President, Apr. 24, 1908, amending laws of the Canal Zone making it a misdemeanor to deface or remove boundary or survey monuments.

Under authority vested in me by law, it is ordered:

Section 436 ¹⁷⁴ of act No. 14 of the Laws of the Canal Zone is hereby amended so as to read as follows:

Every person who willfully injures, defaces, or removes any signal, monument, building, or appurtenance thereto, placed, erected or used by persons engaged in the United States Coast Survey, or Isthmian Canal Commission, or any public service company within the Canal Zone, knowing the same to be a boundary or survey monument, is guilty of a misdemeanor.

THEODORE ROOSEVELT.

THE WHITE HOUSE, April 24, 1908.

Order of the Secretary of War, Apr. 25, 1908, transferring certain work from the Superintendent of Public Works to the Department of Civil Administration.

CULEBRA, CANAL ZONE, April 8, 1908.

By authority of the order of the President of January 6, 1908,¹⁷⁵ it is ordered that the construction and repair of public roads, trails, bridges, water and sewer systems, lights, markets, slaughterhouses, and of other public works and improvements in the Canal Zone, placed in charge of the Superintendent of Public Works by section 5 of the order of the President of March 13, 1907,¹⁷⁶ be transferred from the Super-

¹⁷¹ Taft Agreement, p. 29. See 618 series of Governor's Circulars referring to treatment in hospitals.
¹⁷² Except that at Colon Hospital the charge is the average per capita daily cost during preceding month.

¹⁷³ p. 76. See notes thereunder relating to jury trials.

¹⁷⁴ L. C. Z. 165. See also 651 series of Governor's Circulars referring to boundary monuments and bench marks, and Executive Order of Sept. 8, 1911, p. 118, prohibiting placing signs on lands and property of the United States or Panama Railroad.

¹⁷⁵ par. 5, p. 72.

¹⁷⁶ p. 60.

intendent of Public Works, in the Department of Civil Administration, to the Department of Construction and Engineering; and that the maintenance of public oil lights be transferred from the Superintendent of Public Works, in the Department of Civil Administration, to the Department of Labor, Quarters, and Subsistence, at points in the Zone where it can more conveniently be done by that Department.

GEO. W. GOETHALS,
Chairman and Chief Engineer.

Approved:

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, April 25, 1908.

Order of the Secretary of War, May 19, 1908, appropriating Canal Zone government funds for contingent expenses, operation of public works, and for school purposes.

The Isthmian Canal Commission is authorized and empowered to expend of the funds in the treasury of the Canal Zone March 4, 1907, \$756.63 for contingent expenses of the Government of the Canal Zone, and the balance for the construction, maintenance and operation of public works and improvements and the maintenance of public schools in the Zone.

WM. H. TAFT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., May 19, 1908.

Order of the Secretary of War, July 3, 1908, amending section 321 of the Code of Civil Procedure, providing for the authentication of signatures.

By authority of the President of the United States, it is ordered:

That Section 321 of the Code of Civil Procedure of the Canal Zone,¹⁷⁷ in force under order of the President of March 22, 1907, be, and the same hereby is, amended by the addition thereto of the following:

"Provided that the signature of the chief judge or presiding magistrate to a judicial record from the Republic of Panama shall be authenticated by the Secretary of Foreign Relations of the Republic of Panama, whose signature shall in turn be authenticated by the Chief Executive of the Canal Zone."

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., July 3, 1908.

Order of the Secretary of War, July 6, 1908, appointing Capt. F. C. Boggs, U. S. Army, as General Purchasing Officer and Chief of Washington Office.

Captain F. C. Boggs, Corps of Engineers, is appointed General Purchasing Officer of the Isthmian Canal Commission, under the supervision of the Chief of Engineers of the U. S. Army; and Chief of the Washington Office of the Isthmian Canal Commission, to take effect upon the departure for the Isthmus of Panama of Lieut. Col. H. F. Hodges,¹⁷⁸ Corps of Engineers, the present General Purchasing Officer and Chief of Office.

By direction of the President:

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., July 6, 1908.

¹⁷⁷ Code of Civil Procedure, p. 70.

¹⁷⁸ See note 2 under Executive Order of Aug. 12, 1907, p. 67, relating to appointment of Colonel Hodges as member of the Commission.

Order of the Secretary of War, Aug. 6, 1908, fixing compensation of Everett C. Bumpus and Edwin Denby, members of the Joint Commission.

By direction of the President, it is ordered:

1. That Everett C. Bumpus, heretofore appointed joint Commissioner under Articles VI and XV of the Treaty between the United States and the Republic of Panama proclaimed February 26, 1904, be allowed fifteen dollars per day for his services from the time he left Boston, Massachusetts, in the discharge of his duties, until his return thither, and his actual traveling expenses and subsistence during the same period of time.

2. That Edwin Denby, Member of Congress, heretofore appointed joint Commissioner under the above-mentioned Treaty, be allowed his actual traveling expenses and subsistence from the time he left Detroit, Michigan, in the discharge of his duties, until his return thither.

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., August 6, 1908.

Order of the Secretary of War, Aug. 6, 1908, fixing compensation of Messrs. Ponce and Fabrega, Panaman members of the Joint Commission.

By direction of the President, it is ordered:

That Messrs. Ponce and Fabrega, heretofore appointed by the Republic of Panama upon the joint Commission assembled during the current year, under Article VI of the Treaty between the United States and the Republic of Panama proclaimed February 26, 1904, be paid, as compensation for their services, fifteen dollars per day for the time actually employed by them as members of the Joint Commission.

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., August 6, 1908.

Order of the Secretary of War, Aug. 12, 1908, approving resolution of Commission authorizing Chairman to direct Assistant to the Chief of Office to approve for payment vouchers, etc.

By direction of the President, the following resolution adopted at the One hundred and thirty-ninth meeting of the Isthmian Canal Commission, January 7, 1908, is hereby approved:

Resolved, That the Chairman be, and he hereby is, empowered and authorized to direct in writing the Assistant to the Chief of Office or other employee of the Commission at Washington to approve and authorize payment of vouchers for payments by the Commission, to make requisitions for supplies for the maintenance of the Washington Office, and to sign such appointments, correspondence, certificates, and other official documents as may be necessary to facilitate the dispatch of current business at the Washington Office of the Commission, such signatures to be made under the caption "By direction of the Chairman."

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., August 12, 1908.

Order of the President, Aug. 14, 1908, amending section 344 of the Penal Code of the Canal Zone, making grand larceny punishable by not exceeding 10 years' imprisonment.

Under authority vested in me by law, it is ordered:

Section 344¹⁷⁹ of the Penal Code of the Canal Zone is amended to read as follows: "SECTION 344. Grand larceny is punishable by imprisonment in the penitentiary not exceeding ten years."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *August 14, 1908.*

¹⁷⁹ L. C. Z. 149.

Order of the President, Sept. 10, 1908, appointing members of Interdepartmental Statistical Committee and defining duties.

The following-named gentlemen, representing the several Executive Departments and one independent government establishment, are hereby designated as members of an Interdepartmental Statistical Committee hereby created, under the jurisdiction of the Secretary of Commerce and Labor, for the purpose of promoting uniformity of statistical methods and results, preventing duplications, rendering possible closer cooperation, and keeping the statistical work of the government abreast of the most modern methods:

Mr. John Ball Osborne, Chief of the Bureau of Trade Relations, Department of State;

Hon. Lawrence O. Murray, Comptroller of the Currency, Department of the Treasury;

Major John T. Thompson, Assistant Ordnance Department, Department of War;

Mr. H. C. Gauss, Private Secretary to the Attorney General, Department of Justice;

Mr. E. T. Bushnell, Chief Clerk to the First Assistant Postmaster General, Post Office Department;

Mr. F. S. Curtis, Chief Clerk, Department of the Navy;

Mr. Clarence J. Blanchard, Statistician, Reclamation Service, Department of the Interior;

Mr. Victor H. Olmsted, Statistician and Chief, Bureau of Statistics, Department of Agriculture;

Mr. Oscar P. Austin, Chief of Bureau of Statistics, Department of Commerce and Labor; and

Prof. Henry C. Adams, In Charge of Statistics and Accounts, Interstate Commerce Commission.

Hon. Lawrence O. Murray, Comptroller of the Currency, Treasury Department, is hereby designated to act as Chairman of this Committee.

The specific duties of the Committee thus created shall be as follows:

(a) To make recommendations with a view to eliminating unnecessary duplication of work and conflicting results.

(b) To make recommendations with a view of utilizing the statistical material in one branch of Government work, with reference to the needs or aims of other branches.

(c) To make recommendations with a view of establishing uniform definitions of statistical terms.

(d) To make recommendations with a view of introducing uniform methods.

(e) To make recommendations in regard to schedules and accompanying instructions relative to any new line of statistical inquiry; to study the needs of the various bureaus and Departments from time to time and above all to test the results achieved, and to investigate whether they are in harmony with each other and modern statistical methods and practice.

(f) To make recommendations regarding the preparation and the place of publication of the Statistical Abstract of the United States.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *September 10, 1908.*

Order of the President, Sept. 15, 1908, appointing Doctors Hopkins and Cunningham without reference to civil-service rules.

Doctors Hopkins and Cunningham may be appointed as physicians to teach microscopic work in connection with tropical diseases at the Ancon Hospital on the Isthmus of Panama without reference to the civil service rules.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *September 15, 1908.*

Order of the Secretary of War, Sept. 17, 1908, changing names of certain divisions under the Department of Civil Administration.

CULEBRA, C. Z., *September 17, 1908.*

Under authority of the Executive Order of the President of January 6, 1908,¹⁸⁰ the Department of Revenues,¹⁸¹ in the Department of Civil Administration¹⁸² of the

¹⁸⁰ par. 5, p. 72.

¹⁸¹ Created by act No. 8 of Commission (L. C. Z. 61).

¹⁸² See Executive Department organization under date of Apr. 29, 1914, Governor's Circular 660-10, including the divisions named in above order.

Isthmian Canal Commission, shall hereafter be known as the Division of Posts, Customs and Revenues of the Department of Civil Administration.

The Fire Department¹⁸³ shall hereafter be known as the Division of Fire Protection of the Department of Civil Administration.

The Department of Police and Prisons¹⁸⁴ shall hereafter be known as the Division of Police and Prisons of the Department of Civil Administration.

The title of the head of the Division of Fire Protection shall be Fire Chief.

Effective September 1, 1908.

Approved:

GEO. W. GOETHALS,
Chairman.

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C.

Order of the Secretary of War, Sept. 28, 1908, increasing compensation of Everett C. Bumpus, member of Joint Commission.

By direction of the President, it is ordered:

That the services rendered by Everett C. Bumpus as Commissioner under Articles VI and XV of the Treaty between the United States and Panama, having proved to be in excess of those originally contemplated, Section 1 of the Executive Order of August 6, 1908, is herewith repealed, and the said Everett C. Bumpus is allowed Twenty-five Dollars per day, for his services from the time he left Boston, Massachusetts, in the discharge of his duties, until his return thither, and his subsistence on the Isthmus.

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., September 28, 1908.

Order of the President, Sept. 30, 1908, authorizing the continuance in the service of George Shaffer, Olof Ekedahl, and Willoughby Culbertson without civil-service examination.

George Shaffer, Olof Ekedahl and Willoughby Culbertson may be continued on clerical duties in the Isthmian Canal Service without examination under the civil service rules.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *September 30, 1908.*

Order of the President, Oct. 3, 1908, authorizing retention as part of the classified force eight persons employed jointly by the Panama Railroad Company and the Commission.

The eight persons named in the letter of the Secretary of War dated September 23, 1908,¹⁸⁵ who have been employed jointly by the Isthmian Canal Commission and the Panama Railroad Company, may be retained and become a part of the classified force of the Isthmian Canal Commission, upon the separation of the work of the two offices.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *October 3, 1908.*

Letter of the Secretary of War, Sept. 23, 1908, to the President, transmitting draft of foregoing order.

WAR DEPARTMENT,
Washington, September 23, 1908.

THE PRESIDENT,
White House, Washington, D. C.

SIR: When the purchase of supplies for the Panama Canal first started, the Inspection Department of the Panama Railroad Company was used by the Canal Commission for inspecting purchases in the United States. This practice was con-

¹⁸³ Created by Executive Order of Governor of Canal Zone of July 13, 1906, approved by Commission July 17, 1906. Combined under reorganization in Executive Department with Police and Prisons under Police and Fire Division.

¹⁸⁴ Created by act No. 8 of Commission (L. C. Z. 61). See note 4 *supra*.

¹⁸⁵ p. 83.

tinued until the summer of 1907, when, the Purchasing Department being placed under the Chief of Engineers of the War Department, the General Purchasing Officer of the Isthmian Canal Commission also availed of the services of the Engineer Officers of the Army throughout the country for inspection.

This, however, did not take away the duties of the Inspecting Engineer, and office force located in New York, which continued to have general supervision of the Commission's inspection work.

In March last a portion of the office of the Inspection Department of the Panama Railroad Company in New York was transferred to Washington, leaving still a portion of that force in New York, both, however, continuing on the railroad company's payroll, although the Commission pays one-half of the expenses of both offices.

The entire work of the Commission is now practically done in the Washington office, and it is now desired to separate the inspection department of the Commission from that of the Railroad Company, in order to obtain an accurate division of expense, and to promote greater efficiency of service. This action is recommended by the Chairman of the Isthmian Canal Commission, provided the clerical force can be brought under Civil Service rules. I concur in this recommendation, and respectfully request that an Executive Order be issued placing the clerical force of the Inspecting Engineer's office of the Isthmian Canal Commission in Washington under Civil Service rules, and bringing into the classified service the following employees of the Washington branch of the Inspecting Engineer's office:

Name.	Position.	Salary.
R. E. Young.....	Clerk.....	\$1,200-
Barker Place.....	do.....	1,000
W. H. Shields.....	do.....	900
F. M. Baker.....	do.....	900
Geo. F. Dolan.....	do.....	840
Louis Fahnestock, jr.....	do.....	840
Brice L. Casteel.....	do.....	840
Fred G. Crusoe.....	Messenger.....	480

It is desired that when this order ¹⁸⁶ is issued it exempt from examination the Inspecting Engineer who has charge of the above-mentioned force and the Inspectors, as in many instances these Inspectors are engaged on very short notice on special work and for a short time only, and on the completion of the work their services are terminated.

Very respectfully,

LUKE E. WRIGHT,
Secretary of War.

Order of the President, Oct. 3, 1908, amending schedule A of civil-service rules relating to the Commission.

Amendment to Schedule A of the Civil Service Rules.

Schedule A, Subdivision VIII, relating to the Isthmian Canal Commission, is hereby amended, as follows: The present paragraph will be numbered 1, but will remain otherwise unchanged. A new paragraph, to be numbered 2, to read as follows is hereby added:

2. One inspecting engineer and inspectors in the purchasing department.

THEODORE ROOSEVELT.

THE WHITE HOUSE, October 3, 1908.

Order of the President, Oct. 21, 1908, amending regulations governing employment of unskilled laborers at Washington, D. C.

The regulations governing the employment of unskilled laborers at Washington, D. C., are hereby amended, viz:

1. By the addition of a new regulation, to be numbered XI, and to read as follows: "SECTION 1. The Board, with the authority of the Commission, shall have authority to authorize:

"(a) The demotion of any person from the classified service to the position of mere unskilled laborer, and the appointment of such person in consequence of such de-

¹⁸⁶ Executive Order of Oct. 3, 1908, p. 83.

motion, upon his passing the required physical examination, to the position of mere unskilled laborer, a statement of duties in every instance to be appended to the request of the Department for such demotion, showing the duties of the person to be demoted in his former and in his proposed new position.

"(b) The temporary appointment of a mere unskilled laborer for a period to exceed thirty days, in cases of great and evident necessity."

2. By adding to the concluding sentence of Regulation VII the words "except as provided in Regulation XI hereof." The amended regulation will read:

"Appointment or employment for temporary service shall be made as far as practicable as appointments to permanent positions. Where the needs of the service require, the board may authorize the temporary appointment of any eligible or of a person whose name is not on any register, but no person shall render more than thirty days' temporary service in any period of twelve months where appointed out of his turn, or outside these regulations except as provided in Regulation XI hereof."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *October 21, 1908.*

Order of the Secretary of War, Oct. 23, 1908, amending order fixing compensation of General Purchasing Officer and officer detailed for commissary work.

[Memorandum to the Chairman, Isthmian Canal Commission.]

WAR DEPARTMENT,

Washington, October 23, 1908.

With the approval of the President, Paragraph 2 of Executive Order of July 1, 1907 is modified so as to authorize you to pay to the General Purchasing Officer of the Isthmian Canal Commission, and to the officers detailed in connection with the Panama Railroad for the purchase of commissaries, \$1,800 per annum in addition to their pay and emoluments.

LUKE E. WRIGHT;
Secretary of War.

Order of the President, Nov. 7, 1908, repealing sections 44, 45, and 46 of Code of Criminal Procedure of the Canal Zone and permitting appeal from judgment of a District Court by defendant.

Under authority vested in me by law, it is ordered:

1. An appeal from the judgment of a District Court of the Canal Zone may be taken by the defendant by giving notice in open court of his intention so to do at the time the judgment is rendered, or by filing with the court a written notice of appeal within five days thereafter. The appeal may thereupon be perfected by the defendant by filing with the District Court or with the Circuit Court to which the appeal is taken, a bond in a sum fixed by the Judge of said District Court or the Judge of said Circuit Court, but not exceeding two hundred and fifty dollars, and with one or more sufficient sureties approved by the court or clerk accepting the same, for his appearance and trial upon appeal in the Circuit Court: *Provided*, That if a money deposit be made in lieu of the bond, the amount to be deposited shall not exceed one-half of the sum required in the bond.¹⁸⁷

2. Sections 44, 45, and 46 of the Code of Criminal Procedure of the Canal Zone are hereby repealed.¹⁸⁸

THEODORE ROOSEVELT.

THE WHITE HOUSE, *November 7, 1908.*

Order of the President, Nov. 9, 1908, amending schedule A of civil-service rules, authorizing certain appointments for Isthmian service without examination.

Schedule A, section VIII, paragraph 1, of the civil-service rules is hereby amended by the addition of the following words at the end of the paragraph:

"Unless he was classified by the Executive order of November 15, 1904, in a position which was then and is at the time of the proposed transfer in the competitive service."

¹⁸⁷ See Executive Order of Aug. 29, 1913, p. 150, making it lawful for the defendant in criminal proceedings to make a cash deposit in lieu of bail bond. See also sec. 69, Code of Civil Procedure *in re* appeals from District Court to Circuit Court, and Executive Order of Mar. 12, 1914, p. 163 (sec. 6) providing that appeals in civil and criminal cases from the judgments and rulings of the Magistrate Courts to the District Court of the Canal Zone are authorized in like manner as appeals formerly allowed from the District Courts of the Canal Zone to the Circuit Courts thereof.

¹⁸⁸ L. C. Z. 180. See also Executive Order of Dec. 30, 1921, p. 293.

As amended the paragraph will read as follows:

"1. All officers and employees in the service of the Isthmian Canal Commission upon the Isthmus of Panama except those who are to perform the duties of clerk, bookkeeper, stenographer, typewriter, surgeon, physician, trained nurse, or draftsman. Appointments to clerical positions on the Isthmus of Panama paying less than \$75 in gold per month may be made without examination under the civil-service rules. No person appointed to the service on the Isthmus of Panama otherwise than through competitive examination or by transfer or promotion from a competitive position shall be transferred to a competitive position, unless he was classified by the Executive order of November 15, 1904, in a position which was then and is at the time of the proposed transfer in the competitive service."¹⁸⁹

THEODORE ROOSEVELT.

THE WHITE HOUSE, *November 9, 1908.*

Order of the Secretary of War, Dec. 23, 1908, amending order restricting gold employees to American citizens.

By authority of the President, it is ordered:

That the Executive Order of February 8, 1908, restricting the personnel of gold employees to American Citizens be amended to read as follows:

"On and after this date, the employment by the Isthmian Canal Commission of skilled laborers, clerks, and all others who have heretofore been known as gold employees of the Commission shall be restricted to American citizens and citizens of Panama, except where American or Panamanian labor or services of the character required is not available.

"Foreign employees now upon the pay-roll of the Commission shall not be affected by this order, save in the event of any reduction of force preference shall be accorded to American citizens and citizens of Panama."¹⁹⁰

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., December 23, 1908.

Order of the President, Dec. 23, 1908, appointing H. A. Gudger as Chief Justice of the Supreme Court of the Canal Zone.

Under authority vested in me by law, and until otherwise provided by law or ordered, H. A. Gudger is appointed Chief Justice of the Supreme Court ¹⁹¹ of the Canal Zone, at a salary of six thousand five hundred dollars per annum.

Effective January 4, 1909.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *December 23, 1908.*

Order of the President, Dec. 23, 1908, appointing Wesley M. Owen as Associate Justice of the Supreme Court of the Canal Zone.

Under authority vested in me by law, and until otherwise provided by law or ordered, Wesley M. Owen is appointed an Associate Justice of the Supreme Court of the Canal Zone, at a salary of six thousand dollars per annum.

Effective January 4, 1909.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *December 23, 1908.*

Order of the President, Jan. 6, 1909, extending safety-appliance acts to the Canal Zone.

Under authority vested in me by law, it is ordered:

1. The requirements of the Act of Congress, relating to the use on trains of certain described and approved driving-wheel and train brakes, couplers, handholds, and drawbars of required height for freight cars, approved March 2, 1893 (contained in 27 Stat. L., p. 531), and known as "an Act To promote the safety of employees and

¹⁸⁹ See conditions of employment, Executive Order of Feb. 2, 1914, p. 158.

¹⁹⁰ See Executive Order of Feb. 2, 1914, p. 158, providing conditions of employment.

¹⁹¹ Supreme Court of the Canal Zone continued to act after new organization went into effect April 1, 1914, until pending business was disposed of. See sec. 13 of Executive Order of Mar. 12, 1914, p. 163.

travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," as amended by an Act approved April 1, 1896 (contained in 29 Stat. L., p. 85), and as amended by an Act approved March 2, 1903 (contained in 32 Stat. L., p. 943), shall be extended to apply to that Zone in the Republic of Panama mentioned and described in Section 2 of the Act of Congress, dated June 28, 1902, and entitled "An Act To provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," and commonly known as the "Canal Zone."¹⁹²

2. The various appliances for the protection of trainmen on freight train cars, with reference to running boards, ladders, sill steps, roof handholds, and the position of brake shafts, as designated in the existing standards of the Master Car Builders' Association in the United States, shall be used by all carriers in the aforementioned Canal Zone.

3. The equipment and appliances required to be used in sections 1 and 2 of this order shall be constantly and at all times maintained in good and working order, by any and all railroads engaged in the business of a common carrier and operating in the aforementioned Canal Zone.

4. In particular, sections 1, 2, and 3 of this order shall be carefully observed and obeyed by the Panama Railroad, a carrier operating in the said Canal Zone.

5. All railroads operated and cars used by the Government of the United States within navy yards, arsenals, military reservations, government wharves, and any and all other territories under the jurisdiction of the United States, shall be equipped with the safety appliances required in the Safety Appliance Acts mentioned and described in section 1 of this order, and in the codes of rules mentioned and described in section 2 of this order; and said equipment and appliances shall at all times be maintained in good and working order.¹⁹³

6. This order shall take effect not later than six months from the date of the promulgation thereof.¹⁹⁴

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 6, 1909.*

Order of the Secretary of War, Mar. 20, 1909, waiving limitations of section 1, act No. 24, Laws of Canal Zone, and authorizing Collector of Revenues to administer estate of John J. Korp.

By authority of the President, it is ordered:

That the limitations in section 1 of Act No. 24,¹⁹⁵ enacted by the Isthmian Canal Commission March 1, 1903, providing for the administration of certain estates are hereby waived, in so far as they prevent the Collector of Revenues taking possession of, and administering upon the estate of John J. Korp, deceased, and the Collector of Revenues is hereby authorized and directed to take possession of, and settle the estate of said John J. Korp, deceased, in accordance with the terms of said Act.¹⁹⁶

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 20, 1909.

Order of the President, amending civil-service Rule X regarding transfers.

Civil Service Rule X, paragraph 8, clause (e), in relation to an employee proposed for transfer, is hereby amended to read as follows:

"He shall not be transferred unless, in the judgment of the Commission, he possesses experience, qualifications, or training, which are required for the proper performance of the duties of the position to which transfer is proposed, and which render necessary in the interests of the service the filling of the position by his transfer, rather than by an original appointment or promotion in the manner provided by the Civil Service Act."

WM. H. TAFT.

THE WHITE HOUSE, *March 23, 1909.*

¹⁹² T. & A. 30.

¹⁹³ Modified by Executive Order of Mar. 19, 1913, p. 141.

¹⁹⁴ Amended by Executive Orders of June 11, 1909, p. 89, and Jan. 16, 1911, p. 103, excepting certain old French equipment.

¹⁹⁵ L. C. Z. 254.

¹⁹⁶ Repealed by Executive Order of Feb. 5, 1912, p. 126.

Order of the Secretary of War, May 14, 1909, abolishing office of Director of Hospitals.

By authority of the President, it is ordered:

That so much of Act No. 8, enacted by the Isthmian Canal Commission September 2, 1904, as provides that certain duties be performed by the Director of Hospitals,¹⁹⁷ is hereby amended. The office of Director of Hospitals will be abolished on September 12, 1909, and the duties referred to will be performed on and after that date by any official of the Department of Sanitation of the Isthmian Canal Commission who may be designated.

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C.
CULEBRA, C. Z., May 14, 1909.

Order of the Secretary of War, May 14, 1909, amending order dividing the Canal Zone into administrative districts to provide that fines and fees shall be paid into Zone treasury.

By authority of the President of the United States:

It is ordered that the Executive Order of March 13, 1907, effective April 15, dividing the Canal Zone into four administrative districts, be amended so that the last sentence of the 4th paragraph¹⁹⁸ will read: "Fines and fees shall be paid into the treasury of the Canal Zone."

J. M. DICKINSON,
Secretary of War.

CULEBRA, CANAL ZONE, May 14, 1909.

Order of the President, May 22, 1909, providing that when certain holidays fall on Sunday Government offices will close on the following Monday, except where State laws fix a different day for the holiday.¹⁹⁹

It is hereby ordered that all offices of the Government, arsenals, navy yards and stations, and other Government establishments shall, when the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July and the twenty-fifth day of December, fall on the first day of the week, commonly called Sunday, be closed to public business on the following Monday and that all employees in the public service, wherever employed, who would be excused from work on the above-named days be excused on the following Monday when said days fall on the first day of the week, commonly called Sunday, excepting that where a State law fixes for a holiday another day than the Monday following such legal holiday, the Government offices and other Government establishments situated in such States shall close and employees in the public service shall be excused on that day which is in conformity to State law.

WM. H. TAFT.

THE WHITE HOUSE, May 22, 1909.

Order of the President, June 8, 1909, fixing four hours on Saturdays during July, August, and September as a day's work in the Federal public service.²⁰⁰

It is hereby ordered that on Saturdays during July, August and September, until further notice, four hours exclusive of time for luncheon shall constitute a day's work for all employees in the Federal public service, wherever employed; and all departmental or other orders in conflict with this order are hereby revoked, except as to the naval stations named in the executive order of April 4, 1908.

WM. H. TAFT.

THE WHITE HOUSE, June 8, 1909.

¹⁹⁷ L. C. Z. 61.

¹⁹⁸ p. 60.

¹⁹⁹ Act No. 11 of the Commission (L. C. Z. 89), as amended by resolution of Commission of May 29, 1907, relates to legal holidays in the Canal Zone.

²⁰⁰ Superseded by Executive Order of June 25, 1909, p. 89, which was amended by Executive Order of July 16, 1909, p. 89, so as not to apply to employees on the Isthmus of Panama.

Order of the President, June 11, 1909, amending order extending safety-appliance acts to the Canal Zone.

Under authority vested in me by law, it is ordered:

Paragraph 6 of Executive Order No. 1002, dated January 6, 1909,²⁰¹ is hereby amended as follows:

"6. This order shall take effect not later than six months from the date of the promulgation thereof, except for the use of old French dump cars in use on the Panama Canal, including also the couplers of locomotives necessary to operate them, until July 1, 1910, after which date it shall likewise apply to this equipment."²⁰²

WM. H. TAFT.

THE WHITE HOUSE, *June 11, 1909.*

Order of the President, June 25, 1909, superseding order fixing hours of work in the Federal service on Saturdays during three months in the year.

The following Order will supersede that of June 8, 1909,²⁰³ as to hours of labor on Saturdays during the months mentioned:

It is hereby ordered that, during the months of July, August and September of each year, until further notice, four hours, exclusive of time for luncheon, shall constitute a day's work on Saturdays for all clerks and other employees of the Federal Government, wherever employed; and all Executive or other orders in conflict herewith, except the Executive Order of April 4, 1908, relating to certain naval stations, are hereby revoked.

Provided, however, that this Order shall not apply to any bureau or office of the Government, or to any of the clerks or other employees thereof, that may for special public reasons be excepted therefrom by the head of the Department having supervision or control of such bureau or office, or where the same would be inconsistent with the provisions of existing law.²⁰⁴

WM. H. TAFT.

THE WHITE HOUSE, *June 25, 1909.*

Order of the President, July 16, 1909, providing that the two orders fixing hours for work on Saturdays in July, August, and September shall not apply to Isthmian employees.

It is hereby ordered that Executive Order No. 1084, made June 8, 1909,²⁰⁵ and Executive Order No. 1096, made June 25, 1909,²⁰⁶ shall have no application to employees upon the Isthmus of Panama.

WM. H. TAFT.

THE WHITE HOUSE, *July 16, 1909.*

Order of the Secretary of War, July 21, 1909, extending authority of the Collector of Revenues to administer estates not exceeding \$1,000 in value.

By authority of the President of the United States it is ordered:

That the authority of the Collector of Revenues under Act No. 24 of the Laws of the Canal Zone,²⁰⁷ entitled "An Act providing for an inexpensive method of Administration upon the Estates of Employees of the Government of the Canal Zone, or of the Isthmian Canal Commission, who are citizens of the United States and who die in the Canal Zone, Isthmus of Panama, leaving estates of small value upon which regular administration is deemed inadvisable," enacted by the Isthmian Canal Commission March 1, 1905, be, and the same is hereby extended to include all estates of the character described in said act as amended by the Executive Order of June 22, 1907,²⁰⁸ which do not exceed in value the sum of one thousand dollars.²⁰⁹

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., July 21, 1909.

²⁰¹ p. 86.

²⁰² Further amended by Executive Order of Jan. 16, 1911, p. 103, excepting gravel cars up to July 1, 1911.

²⁰³ p. 88.

²⁰⁴ Executive Order of July 16, 1909, p. 89, provided that above order shall not apply to employees on the Isthmus of Panama.

²⁰⁵ p. 88.

²⁰⁶ p. 89.

²⁰⁷ L. C. Z. 254.

²⁰⁸ p. 66 hereof, which extended provisions of act to include employees of the Panama Railroad.

²⁰⁹ Both laws mentioned repealed by Executive Order of Feb. 5, 1912, p. 126.

Order of the President, July 30, 1909, authorizing diminution of time for good behavior for convicts in the Canal Zone penitentiary.

Under authority vested in me by law, it is ordered:

That every convict who is now or who may hereafter be confined in the Canal Zone penitentiary²¹⁰ under sentence for a definite time, and who shall have no infraction of the rules and regulations of the penitentiary or laws of the Canal Zone recorded against him, and who performs the duties assigned to him in a faithful, orderly and peaceable manner, shall be entitled to the diminution of time from his sentence as follows: For the first year, one month; for the second year, two months; for the third year, three months; for the fourth year, four months; for the fifth year, five months; for the sixth and each succeeding year, six months; and pro rata for any part of a year, where the sentence is for more or less than a year.

In case any convict shall be guilty of the violation of any of the rules or regulations of the penitentiary or laws of the Canal Zone as above provided, and has become entitled to any diminution of his sentence by the provisions aforesaid, he shall for the first offense forfeit; if he has made so much, two days; for the second offense, four days; for the third offense, eight days; for the fourth offense, sixteen days; and in addition thereto, whatever number of days, more than one, that he is in punishment, shall also be forfeited; for more than four offenses, the warden shall have power to deprive him, at his discretion, of any portion or all of the diminution of sentence that he may have earned, but not less than as provided for the fourth offense: *Provided*, That the Chief Executive of the Canal Zone shall have the power to restore to any convict any diminution of sentence forfeited by him.²¹¹

Whenever any convict is or has been committed under several convictions, with separate sentences, they shall be construed as one continuous sentence, in the granting or forfeiting of diminution of sentence.²¹²

The warden, in computing the diminution of sentence of any convict now in the penitentiary, shall allow him for the unexpired portion of his sentence, the same as if this order had been in effect at the commencement of his sentence, but shall not allow him for the portion of his sentence already served.²¹³

WM. H. TAFT.

THE WHITE HOUSE, July 30, 1909.

Order of the President, July 30, 1909, fixing punishment for murder in the first and second degrees.

Under authority vested in me by law, it is ordered: That Section 149²¹⁴ of Act No. 14 of the Laws of the Canal Zone is amended to read as follows:

"SEC. 149. Every person guilty of murder in the first degree shall suffer death, or if there be extenuating circumstances, confinement in the penitentiary for life;²¹⁵ and every person guilty of murder in the second degree is punishable by imprisonment in the penitentiary not less than ten years."

WM. H. TAFT.

THE WHITE HOUSE, July 30, 1909.

Tonnage Dues—Revocation of Proclamations.

By the President of the United States of America—A Proclamation:

Whereas by proclamations of the President of the United States dated January thirty-first, eighteen hundred and eighty-five, February twenty-sixth, eighteen hundred and eighty-five, September ninth, eighteen hundred and eighty-five, April twenty-second, eighteen hundred and eighty-seven, April sixteenth, eighteen hundred

²¹⁰ Penitentiary established by act No. 12 of Commission (L. C. Z. 90).

²¹¹ Executive Order of May 9, 1904, p. 20, authorized Governor of Canal Zone to grant reprieves and pardons. Under authority of sec. 7 of the Panama Canal Act (T. & A. 79), the President issued Executive Order of May 13, 1914, p. 174, relating to pardons, commutations, remission of fines, and authorizing the Governor to establish regulations affecting the welfare of prisoners.

²¹² Sec. 27 of Penal Code (L. C. Z. 96) provides that when a person is convicted of two or more crimes, the imprisonment to which he is sentenced upon the second or other subsequent conviction must commence at the termination of the first term, or at the termination of second or other subsequent term of imprisonment, as the case may be.

²¹³ Sec. 28 of Penal Code (L. C. Z. 96), provides that the term of imprisonment commences to run only upon the actual delivery of the defendant at the place of imprisonment; and, if thereafter during such term the defendant by any legal means is temporarily released from such imprisonment and subsequently returned thereto, the time during which he was at large must not be computed as part of such term.

²¹⁴ L. C. Z. 116.

²¹⁵ In the case of Canal Zone v. Zaldivar, p. 227, vol. 2, Sup. Ct. Rept. C. Z., the court held that the provisions: "Every person guilty of murder in the first degree shall suffer death, or if there be extenuating circumstances, confinement in the penitentiary for life," leaves to the discretion of the trial court the fixing of the penalty.

and eighty-eight, May second, eighteen hundred and ninety-four and July nineteenth, eighteen hundred and ninety-eight, the President did thereby declare and proclaim from and after the dates of his said Proclamations, respectively, the suspension of the collection of the whole of the duty on tonnage now imposed by Section eleven of the Act of Congress approved June nineteenth, eighteen hundred and eighty-six, entitled "An Act to abolish certain fees for official services to American vessels and to amend the laws relating to shipping commissioners, seamen and owners of vessels, and for other purposes," amending Section fourteen of the Act of Congress approved June twenty-sixth, eighteen hundred and eighty-four, entitled "An Act to remove certain burdens on the American merchant marine and encourage the American foreign-carrying trade, and for other purposes," upon vessels entered in ports of the United States from ports in the Province of Ontario in the Dominion of Canada; ports in the island of Monserrat in the West Indies; the ports of Panama and Aspinwall (Colon); port of San Juan del Norte (Greytown), Nicaragua; port of Boca del Toro, United States of Colombia; ports in the Kingdom of the Netherlands; free ports of the Dutch East Indies; ports in the island of Guadeloupe, French West India Islands; ports in the island of Grenada, British West India Islands; and the port of Copenhagen, Denmark, respectively;

And Whereas, Section thirty-six of the Act of Congress approved August fifth, nineteen hundred and nine, entitled an "Act to provide revenue, equalize duties and encourage the industries of the United States, and for other purposes," will repeal, sixty days after the approval of said Act, section eleven of the Act of Congress approved June nineteenth, eighteen hundred and eighty-six, aforesaid, amending Section fourteen of the Act of Congress approved June twenty-sixth, eighteen hundred and eighty-four, aforesaid, by virtue of which the proclamations aforesaid were issued and have continued in force and effect;

And Whereas, Section thirty-six of the Act of Congress approved August fifth, nineteen hundred and nine, provides the rates of tonnage duty which shall be imposed on and after October fifth, nineteen hundred and nine, upon vessels which shall be entered in any port of the United States;

Now, therefore, I, William Howard Taft, President of the United States of America, in pursuance of the aforesaid Section thirty-six of the Act aforesaid, do hereby revoke the said proclamations of January thirty-first, eighteen hundred and eighty-five, February twenty-sixth, eighteen hundred and eighty-five, September ninth, eighteen hundred and eighty-five, April twenty-second, eighteen hundred and eighty-seven, April sixteenth, eighteen hundred and eighty-eight, May second, eighteen hundred and ninety-four, and July nineteenth, eighteen hundred and ninety-eight, suspending the collection of tonnage taxes upon vessels entered in ports of the United States from ports in the Province of Ontario, in the Dominion of Canada; ports in the island of Monserrat in the West Indies; the ports of Panama and Aspinwall (Colon); port of San Juan del Norte (Greytown), Nicaragua; Port of Boca del Toro (now in the Republic of Panama); ports in the Kingdom of the Netherlands; free ports of the Dutch East Indies; ports in the island of Guadeloupe, French West India Islands; ports in the island of Grenada, British West India Islands, and the port of Copenhagen, Denmark, respectively; this said revocation of said proclamations to take effect on and after the fifth day of October, nineteen hundred and nine.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this sixth day of August in the year of our Lord one thousand nine hundred and nine, and of the Independence of the United States of America the one hundred and thirty-fourth.

[SEAL.]

WM. H. TAFT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

Order of the President, Sept. 8, 1909, prohibiting hunting by night with artificial light or with spring guns in the Canal Zone.

Under authority vested in me by law it is ordered:

Section 454²¹⁶ of Act No. 14 of the Laws of the Canal Zone is amended to read as follows:

²¹⁶ L. C. Z. 169. Secs. 449 to 460 of the Penal Code were repealed by the Executive Order of Nov. 7, 1913, p. 152, providing regulations to carry arms, but Executive Order of Jan. 27, 1914, p. 155, again provided for the prohibition of hunting with artificial light or with trap guns, and repealed above order of Sept. 8, 1909. See also pamphlet issued June 15, 1920, containing laws and regulations governing hunting and carrying arms.

"SEC. 454. Permits to hunt with firearms upon the public lands of the Canal Zone or on the lands of private ownership, but without prejudice to the rights of the owners may be issued by the Treasurer of the Canal Zone upon application made to him. But every person who shall hunt at night between the hours of sunset and sunrise with the aid or use of a lantern, torch, bonfire, or other artificial light, or who shall hunt by the use of a gun or other firearm intended to be discharged by an animal or bird, by means of a spring or trap or other similar mechanical device, shall be guilty of a misdemeanor."

WM. H. TAFT.

THE WHITE HOUSE, September 8, 1909.

Order of the President, Oct. 2, 1909, making cruelty to children and animals misdemeanors.

Under authority vested in me by law it is ordered:

1. Chapter II of Title XII of Act No. 14,²¹⁷ of the Laws of the Canal Zone, is amended by the addition thereto of the following section:

"SECTION 210½. Every person who shall torture, cruelly beat, abuse, wilfully maltreat, or unnecessarily deprive of liberty any child under the age of eighteen, and every person having custody or possession of a child under the age of fourteen who shall expose it in any highway, street, field, house or other place with intent to abandon it, is guilty of a misdemeanor."

2. Section 423,²¹⁸ Chapter XIV, Title XVI, of Act No. 14 of the laws of the Canal Zone, is amended to read as follows:

"SECTION 423. Every person who shall overdrive, overload, torture, cruelly beat, or unjustifiably injure, maim, mutilate or kill or deprive of necessary food, drink or shelter, or work when unfit for labor, any animal whether wild or tame and whether belonging to himself or to another, or who, being the owner or possessor or having charge or custody of a maimed, diseased, disabled or infirm animal shall abandon it, or leave it to die in a street, road or other place, is guilty of a misdemeanor.²¹⁹ Any police officer may lawfully destroy or cause to be destroyed any animal found abandoned and not properly cared for, appearing, in the judgment of two reputable persons called by him to view the same in his presence, to be injured or diseased past recovery for any useful purpose."

3. Any duly appointed agent of a regularly organized humane society in the Canal Zone, may be commissioned by the proper authorities of the Canal Zone as a special police officer for the enforcement of the provisions of this order and of any other law, regulation or order in force in the Canal Zone for the prevention of cruelty to children and animals, and when so commissioned shall be vested for that purpose with all the authority of a member of the Canal Zone Police force.

WM. H. TAFT.

THE WHITE HOUSE, October 2, 1909.

Order of the President, Oct. 2, 1909, providing for a Board of Local Inspectors to examine applicants for licenses as master, mate, engineer, or pilot on steam vessels in Canal Zone waters.

Under authority vested in me by law, it is ordered:

SECTION 1. The Chairman of the Isthmian Canal Commission shall appoint three persons who shall constitute a "Board of Local Inspectors." The members of this Board shall be employees of the Isthmian Canal Commission, or the Panama Railroad Company, or both, and shall perform the duties hereinafter specified without additional compensation.

SEC. 2. The Board of Local Inspectors shall recommend the classification of masters, mates, engineers, and pilots of steam vessels propelled upon the waters within the jurisdiction of the Canal Zone. Upon such recommendation, in writing, the Head of the Department of Civil Administration, Isthmian Canal Commission, shall issue licenses.

SEC. 3. Whenever any person applies to be licensed as master, mate, engineer, or pilot of any steam vessel propelled upon the waters within the jurisdiction of the Canal Zone, the Board of Local Inspectors shall make diligent inquiry as to his character, and shall carefully examine the applicant, as well as the proof he presents

²¹⁷ L. C. Z. 125.

²¹⁸ *Ibid.*, 163.

²¹⁹ See sec. 254 of Penal Code (L. C. Z. 132) making it a felony to put the carcass of any dead animal on any road, river, etc.

in support of his claim; and if, upon full consideration, they are satisfied that his character, habits of life, knowledge, and experience in the duties of master, mate, engineer, or pilot, are all such as to authorize the belief that he is a suitable and safe person to be entrusted with the powers and duties of such station, they shall recommend that a license be issued to him, authorizing him to be employed on any vessel propelled upon the waters within the jurisdiction of the Canal Zone, in such duties, for the term of three (3) years; but such license shall be suspended or revoked upon satisfactory proof of negligence, unskillfulness, or intemperance. The Board of Local Inspectors will recommend the assignment of mates or engineers to an appropriate class designated "Chief," "1st," or "2nd."²²⁰

SEC. 4: The Isthmian Canal Commission shall not engage for permanent employment upon any of its vessels propelled by steam, any master, mate, or engineer, who shall not be duly licensed by the United States, or the Government of the Canal Zone, and who is not a citizen of the United States, unless an American citizen is not available; and all officers at present employed who do not hold United States licenses will be required to qualify before the Board.

SEC. 5. The Government of the Canal Zone may issue licenses as masters, mates, engineers, or pilots to persons who are not citizens of the United States.

SEC. 6. The Executive Order of the Governor of the Canal Zone, dated December 8, 1905, is amended by this order only in so far as it provides for the examination and licensing of pilots.²²¹

WM. H. TAFT.

THE WHITE HOUSE, *October 2, 1909.*

Order of the Secretary of War, Oct. 15, 1909, exempting insurance companies whose business in Canal Zone consists solely in furnishing bonds of employees from annual fee and license tax.

By direction of the President, it is ordered:

That the Executive Order of March 12, 1907, effective July 1, 1907,²²² be and the same is hereby amended by the addition of the following:

"Provided, That indemnity insurance companies whose business within the Canal Zone consists solely of furnishing fidelity bonds of employees of the United States, which are required by the laws of the Canal Zone, or regulations of the Isthmian Canal Commission, shall hereafter be exempt from liability to pay the annual fee of fifty dollars and the license tax of one and one-half per centum of their premium receipts."

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., October 15, 1909.

Order of the President, Nov. 23, 1909, fixing hours of work for telegraph operators and train dispatchers of the Panama Railroad Company.

Under authority vested in me by law, it is ordered:

That no operator, train dispatcher, or other employee of the Panama Railroad Company who by the use of the telegraph or telephone dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this order may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three days in any week.

This order shall be in effect on and after January 1, 1910.

WM. H. TAFT.

THE WHITE HOUSE, *November 23, 1909.*

²²⁰ Executive Order of Feb. 8, 1910, p. 96, authorized members of Board of Local Inspectors to administer oaths necessary in conducting the business of the Board.

²²¹ See also footnotes under Executive Order of July 21, 1911, p. 113, providing for inspection of steam vessels; and Circular 644 issued by the Governor on May 1, 1914, the latter being a compilation of rules and regulations relating to the Board of Local Inspectors, its duties, etc., including inspection of vessels, issuance of licenses for officers of vessels, and others.

²²² p. 60.

Order of the President, Nov. 23, 1909, making the enticing of laborers from the Commission or Panama Railroad a misdemeanor.²²³

Any person who, as principal or agent, shall, with the intent or for the purpose of recruiting on the Canal Zone mechanics, laborers, artisans, or any character of workmen, to go into a foreign country, induce or attempt to induce any person who is working for or is under contract to work for, or who desires to work for, the Isthmian Canal Commission or the Panama Railroad Company, or a contractor of either or both of them, to cease to work for, or break any such contract to work for, or not to begin work for, the Isthmian Canal Commission or the Panama Railroad Company, or a contractor of either or both of them, or to leave the Canal Zone with a view or for the purpose of working in a foreign country, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment in the common jail not to exceed six (6) months, or by both such fine and imprisonment, at the discretion of the Court.

WM. H. TAFT.

THE WHITE HOUSE, November 23, 1909.

Order of the President, Nov. 26, 1909, directing that no subordinate shall apply to Congress for legislation nor respond to requests from Congress for information except through or as authorized by the head of his department.

It is hereby ordered that no bureau, office or division chief, or subordinate in any department of the Government, and no officer of the army or navy or marine corps stationed in Washington, shall apply to either House of Congress, or to any committee of either House of Congress, or to any member of Congress, for legislation, or for appropriations, or for congressional action of any kind, except with the consent and knowledge of the head of the department; nor shall any such person respond to any request for information from either House of Congress, or any committee of either House of Congress, or any Member of Congress, except through, or as authorized by, the head of his department.²²⁴

WM. H. TAFT.

THE WHITE HOUSE, November 26, 1909.

Circular of the War Department, Dec. 4, 1909, publishing foregoing order.

[Circular.]

WAR DEPARTMENT,
Washington, December 4, 1909.

The following order of the President ²²⁵ is published for the information and guidance of all concerned:

"It is hereby ordered that no bureau, office or division chief, or subordinate in any department of the Government, and no officer of the army or navy or marine corps stationed in Washington, shall apply to either House of Congress, or to any committee of either House of Congress, or to any member of Congress, for legislation, or for appropriations, or for congressional action of any kind, except with the consent and knowledge of the head of the department; nor shall any such person respond to any request for information from either House of Congress, or any committee of either House of Congress, or any Member of Congress, except through, or as authorized by, the head of his department.

"WM. H. TAFT.

"THE WHITE HOUSE, November 26, 1909."

Under the exception contained in the concluding sentence of the foregoing order, chiefs of bureaus and the Chief of Staff are hereby given general authority to respond directly to any request for information from either House of Congress or any committee or member of either House of Congress on all ordinary and routine matters pertaining exclusively to their respective offices; but information bearing on questions of policy; or on important or unusual matters; or of a character which sound judgment would indicate as coming properly within the discretion of the head of the Department whose views Congress, its committees and members are entitled to know

²²³ See sec. 1, Executive Order of Feb. 6, 1917, p. 220, *in re* exclusion of undesirable persons.

²²⁴ Executive Order of Dec. 4, 1909, p. 94, authorizes certain persons to give out such information.

²²⁵ Published as separate Executive Order, see p. 94 hereof.

in their consideration of questions affecting the Department; or information which a chief of bureau or the Chief of Staff would wish brought to his knowledge if he were the head of the Department should not be given out without first being submitted to and authorized by the Secretary of War.

J. M. DICKINSON,
Secretary of War.

Order of the Secretary of War, Dec. 1, 1909, authorizing members of gun clubs to carry arms; and granting enlisted men of the Marine Corps on the Isthmus hunting licenses without charge.

By authority of the President of the United States, it is ordered:

That Act 14, enacted by the Isthmian Canal Commission by authority of the President under date of September 3, 1904, entitled "An Act to establish a penal code for the Canal Zone, Isthmus of Panama," be and the same is hereby amended by adding after paragraph 6 of Section 450²²⁶ the following:

"7. As a member of a rifle, gun or pistol club, organized for the promotion of rifle, gun or pistol practice, a certified copy of whose constitution and by-laws has been approved by the Chief Executive of the Canal Zone and filed with the Collector of Revenues, when going to and from a target range and when engaged in target practice at a target range. For the purposes of this section certificates of membership in such rifle, gun or pistol club shall be issued under regulations approved by the Chief Executive of the Canal Zone."

and Section 456²²⁷ be and the same is hereby amended as follows:

"The license fees for permits issued by the Treasurer under the provisions of this Title shall be as follows: For every permit issued to carry a firearm abroad, five dollars (\$5); for every permit authorizing an overseer or watchman engaged by a private employer, ten dollars (\$10) for each watchman or overseer so authorized to carry a firearm; for each hunting permit, five dollars (\$5); provided that no charge shall be made for hunting permits issued to enlisted men of the Marine Corps stationed on the Isthmus of Panama. The Treasurer shall keep a record of all licenses issued by him, with the name and residence of the person to whom they are issued, and the date and serial number thereof."²²⁸

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., December 1, 1909.

Order of the President, Jan. 12, 1910, amending order prescribing procedure in submitting recommendations affecting method of appointment in the classified service.²²⁹

The Executive Order of February 20, 1908, prescribing the procedure to be observed in submitting recommendations affecting the method of appointment in the classified service, will be amended by adding to line five after the word "Rules" the following: "or proposing any exception to the requirements of said Act or Rules, or Labor Regulations, in either the classified or unclassified service;" and by adding to line sixteen after the word "Congress" the following: "in which case it shall only be made through or as authorized by the head of the Department."

As amended, the Order will read:

"Hereafter the following procedure shall be strictly observed by officers and employees in the Executive Civil Service in submitting any recommendation affecting the method of appointment to any position or class of positions now included or which may be included in the classified service under the operation of the Civil Service Act or Rules, or proposing any exception to the requirements of the said Act or Rules, or Labor Regulations, in either the classified or unclassified service:

"Every recommendation shall be accompanied by a full statement of the reasons therefor, and, if approved by the head of the proper Department or independent bureau, shall be referred to the Civil Service Commission, which body shall submit a report thereon to the President.

²²⁶ L. C. Z. 168.

²²⁷ Ibid, 169.

²²⁸ Above order repealed by Executive Order of Nov. 7, 1913, p. 152, and the latter order was repealed by Executive Order of Mar. 6, 1920, p. 267, relating to carrying and keeping arms, and repealing all conflicting laws and orders.

²²⁹ See conditions of employment provided by Executive Order of Feb. 2, 1914, p. 158.

"No recommendation of the character mentioned shall be submitted by any officer or employee, directly or indirectly, to Congress or to any committee or member of Congress, except in the manner herein provided unless such recommendation shall be called for from such officer or employee by the Senate, the House of Representatives or the Congress, in which case it shall only be made through or as authorized by the head of the Department."

WM. H. TAFT.

THE WHITE HOUSE, *January 12, 1910.*

Order of the President, Jan. 26, 1910, authorizing certain sanitary improvements in the Zone and the charging of a proportion to owners of adjacent property.²¹⁹

The Isthmian Canal Commission may, from the necessities of sanitation, cause such improvements to be made in the Canal Zone as the construction of streets, roads, and trails, water and sewer systems, and similar sanitary improvements, and may charge such proportion of the cost thereof, not to exceed one-half, to the owners of the property adjacent to, abutting upon, or within the district in which such improvement is necessary and has been made, as may be decided by the Isthmian Canal Commission to be just and equitable.

Due notice of all such improvements shall be given to persons affected thereby together with the estimated assessment, in accordance with rules to be issued by the Isthmian Canal Commission. Any unpaid assessment shall become a lien upon the property affected thereby collectible as provided by law.

WM. H. TAFT.

THE WHITE HOUSE, *January 26, 1910.*

Order of the Secretary of War, Feb. 8, 1910, authorizing members of Board of Local Inspectors to administer oaths.

By authority of the President of the United States, it is ordered:

That each member of the Board of Local Inspectors, appointed under the authority of Executive Order No. 1131 of the President, dated October 2, 1909,²²¹ is hereby authorized to administer oaths necessary in conducting the business of the Board.²²²

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C. February 8, 1910.

Order of the President, Apr. 2, 1910, providing that collection of moneys for liquor licenses shall be made by Collector of Revenues instead of by district tax collectors.

The provisions of the second paragraph of the Executive Order of March 13, 1907,²²³ which fix the duties of the district tax collectors²²⁴ of the Canal Zone, shall not require the collection by them of moneys to be paid for liquor licenses under the regulation respecting the sale of intoxicating liquors in the Canal Zone, approved by the Isthmian Canal Commission, April 27, 1907; but such moneys shall be collected by the Collector of Revenues or his deputy or assistant.

WM. H. TAFT.

THE WHITE HOUSE, *April 2, 1910.*

Order of the President, Apr. 12, 1910, appointing Maurice H. Thatcher as a member of the Commission and fixing his compensation.²²⁵

Maurice H. Thatcher is hereby appointed a member of the Isthmian Canal Commission with compensation at the rate of Fourteen Thousand Dollars (\$14,000) per annum, effective upon date of sailing for the Isthmus of Panama.

²¹⁹ See also Sanitary Rules and Regulations for the Canal Zone, sec. 35 of act No. 9 of the Commission (L. C. Z. 78) governing charges for work done.

²²¹ p. 92.

²²² Sec. 59 of Executive Order of July 9, 1914, p. 194, providing rules and regulations for operation and navigation of Panama Canal, authorizes Board to summon witnesses, administer oaths, etc.

²²³ p. 60.

²²⁴ Office of tax collector abolished and duties of tax collector transferred to Collector of Revenues, by Executive Order of Oct. 4, 1910, p. 101.

²²⁵ Commissioner Thatcher was succeeded by Commissioner Metcalfe. See notes under Executive Order of Apr. 1, 1907, p. 64, *in re* Commissioners in charge of Department of Civil Administration.

Commissioner Thatcher will be allowed the use of a furnished dwelling house on the Isthmus of Panama and will be allowed and paid his actual and necessary expenses while away from the Isthmus on official business.

WM. H. TAFT.

THE WHITE HOUSE, *April 12, 1910.*

Order of the President, Apr. 16, 1910, prescribing duties of Counsel and Chief Attorney and amending Code of Criminal Procedure.

By virtue of the authority vested in me I hereby establish the following Order for the Canal Zone:

ARTICLE 1. The Counsel and Chief Attorney for the Isthmian Canal Commission shall be legal adviser to the Commission, the Chairman thereof and to the Head of the Department of Civil Administration; he shall submit his opinions in writing when requested by the Commission, the Chairman thereof or the Head of the Department of Civil Administration; he shall have the direction and control of all litigation before the courts of the Canal Zone or the Republic of Panama in which the Commission, or the Government of the Canal Zone or any of its dependencies are interested or involved, and he may appear for them, or either of them, before said courts when he deems it necessary; he shall have the supervision and direction of all prosecutions for offenses against the laws of the Canal Zone, and he may inquire into criminal matters and prosecute the same in person before the courts, when in his opinion it may be necessary to do so.²³⁶

ARTICLE 2. The Counsel and Chief Attorney for the Isthmian Canal Commission, the Prosecuting Attorney,²³⁷ the Assistant Prosecuting Attorney, or other counsel specially designated by the Head of the Department of Civil Administration, shall have equal authority with the judges of the courts of the Canal Zone to issue subpoenas for witnesses in criminal cases, and each of said officers, as well as any judge of any of the courts of the Canal Zone, may examine witnesses under oath in the investigation of offenses against the laws of the Canal Zone.

ARTICLE 3. The information in a criminal case may be filed by the Prosecuting Attorney, the Assistant Prosecuting Attorney, or other counsel specially designated by the Head of the Department of Civil Administration, as well as by the Counsel and Chief Attorney for the Isthmian Canal Commission, and it may be verified by any of said officers, and the affidavit shall be sufficient if it states that the information is based upon the sworn testimony of witnesses and that the affiant solemnly believes that there is just cause for the filing of the information.²³⁸

ARTICLE 4. Section 138²³⁹ of the Code of Criminal Procedure is hereby amended to read as follows:

SECTION 138. When the information is not subscribed and sworn to by the Prosecuting Attorney, or other officer authorized to file informations, it must be set aside by the court in which the defendant is arraigned, upon his motion.

ARTICLE 5. Civil and criminal process issued from any court or tribunal of the Canal Zone may be executed and return thereon made by any peace officer of the Canal Zone.

The following are peace officers: The Marshal and Deputy Marshals of the Supreme Court; the Marshal of each of the Circuit Courts; the Bailiffs of the Supreme Court and Circuit Courts and all officers and members of the police force of the Canal Zone.²⁴⁰

²³⁶ Made Head of the Department of Law, and assigned further duties, by the Executive Order of Oct. 4, 1910, p. 102. See sec. 8, Panama Canal Act (T. & A. 79), providing for a District Attorney, whose duty shall be to conduct all business, civil and criminal, for the Government, and to advise the Governor of the Panama Canal on all legal questions touching the operation of the Canal and the administration of civil affairs. See also Governor's Circular No. 661-3 of Apr. 1, 1914, appointing a Special Attorney in agreement with provision of Act of Congress of Apr. 6, 1914 (T. & A. 99) to perform same duties in connection with land matters as formerly performed by the Head of Department of Law, and to codify the various laws, Executive Orders, and ordinances in effect in the Canal Zone.

²³⁷ Secs. 39-40 of act No. 1 of the Commission (L. C. Z. 19) provided for Prosecuting Attorney and assistants, and defined duties. These sections are superseded by provisions of sec. 8 of the Panama Canal Act providing for a district attorney. See also Title III of Code of Criminal Procedure (L. C. Z. 187), defining powers and duties of the Prosecuting Attorney.

²³⁸ See sec. 3, Code of Criminal Procedure, and Title II same code (L. C. Z. 173 and 183).

²³⁹ L. C. Z. 193.

²⁴⁰ And constables of the Magistrate Courts, by Executive Order of Aug. 3, 1914, p. 194.

The provisions of this Article are cumulative, and shall not be construed to repeal or modify the existing laws relating to the execution of process and return thereon.

ARTICLE 6. All laws or orders, or parts thereof, in conflict with this Order are hereby repealed.

WM. H. TAFT.

THE WHITE HOUSE, *April 16, 1910.*

Order of the Secretary of War, May 24, 1910, abolishing office of Executive Secretary.

Under authority vested in me by law, it is ordered that so much of Act No. 8 enacted by the Isthmian Canal Commission September 2, 1904, as provides that certain duties be performed by the Executive Secretary,²⁴¹ is hereby amended.

The office of Executive Secretary will be abolished on June 1, 1910, and the duties heretofore devolving upon that official will on and after that date be performed by any official of the Department of Civil Administration that may be designated by the proper authority.²⁴²

J. M. DICKINSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., May 24, 1910.

Order of the President, July 25, 1910, empowering Commission to establish rules and regulations to facilitate and protect Canal work.

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone and its auxiliary lands and waters:

SECTION 1. The Isthmian Canal Commission is hereby empowered to establish rules and regulations to facilitate and protect the works of excavation, dredging and other Canal construction within the Canal Zone and the lands and waters auxiliary thereto; as well as such rules and regulations respecting the use, or passage through any of the Canal channels, lakes and other auxiliary waters as from time to time the Commission may deem needful to fully protect such channels, lakes and auxiliary waters, and to facilitate and protect the operations of Canal construction therein.

The rules and regulations that may be adopted by the Canal Commission in accordance with the provisions of this Order shall have the force and effect of law when approved by the Secretary of War.²⁴³

SECTION 2. Any person violating any of the provisions of the rules and regulations established hereunder shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not to exceed five hundred dollars (\$500), or by imprisonment in the district jail for not more than six months, or by both such fine and imprisonment, in the discretion of the court.

WM. H. TAFT.

THE WHITE HOUSE, *July 25, 1910.*

Order of the President, July 28, 1910, limiting jurisdiction of the Canal Zone Courts.

By virtue of the authority vested in me I hereby establish the following Order for the Canal Zone Government:

SECTION 1. No civil action or special proceeding shall be brought or proceeded with in the courts of the Canal Zone, in any case in which both of the parties, plaintiff and defendant, are alien nonresidents of the Canal Zone, and the cause of action is one which arose without the territorial limits of the Canal Zone Government, and the party proceeded against has no property within said territorial limits, subject to the jurisdiction of the Canal Zone courts.

²⁴¹ L. C. Z. 61.

²⁴² The permanent organization provided by Executive Order of Jan. 27, 1914, p. 155, includes an Executive Secretary, and Governor's Circular No. 660-10 outlines the organization of the Executive Department.

²⁴³ Ordinance of the Commission of Dec. 5, 1910 (L. C. Z. 279) and amendment thereto of Dec. 16, 1912 (L. C. Z. 292) provided rules and regulations for the navigation of the Canal, and ordinance of Sept. 15, 1913 (L. C. Z. 298) prohibited floating craft from entering Culebra Cut. These ordinances were superseded by Executive Order of July 9, 1914, p. 178, prescribing rules and regulations for the operation and navigation of the Panama Canal, issued under the authority contained in sec. 5 of the Panama Canal Act (T. & A. 79).

Neither shall any civil action or special proceeding be brought or proceeded with in the courts of the Canal Zone when both parties, plaintiff and defendant, though citizens of the United States, are found transiently within the limits of the Canal Zone Government, unless the cause of action is one arising within the said territorial limits, or the party proceeded against has property within the said limits, subject to the jurisdiction of the Canal Zone courts.

This Order shall not be construed to exclude from the jurisdiction of the Canal Zone courts cases between parties who have an official or business residence within the territorial limits of the Canal Zone Government, or who reside therein for the purpose of any occupation or employment, notwithstanding that they may not have acquired a permanent residence within said territorial limits.²⁴⁴

SECTION 2. All laws, orders and decrees, or parts thereof, in conflict with this order are hereby repealed.²⁴⁵

WM. H. TAFT.

THE WHITE HOUSE, July 28, 1910.

Order of the President, Aug. 20, 1910, prescribing method for married women to convey or mortgage real estate, and authorizing certain officers to administer oaths.

By virtue of the authority vested in me I hereby establish the following Order for the Canal Zone:

ARTICLE 1. Any deed or other instrument in writing relative to or affecting real estate the separate property of a married woman, or any mortgage or other lien on such property, shall be sufficient if the husband of the married woman joins with her in the execution of the instrument and the same is acknowledged by them before an officer authorized to take acknowledgments hereunder, in conformity with the provisions hereof.

ARTICLE 2. Any deed or other instrument in writing heretofore executed by a married woman joined by her husband and otherwise in conformity to law, conveying lands or interests therein belonging to her separate estate, or creating a mortgage or other lien thereon, shall be held to be valid and effective to pass such title to or interest in such land, or to create such mortgage or other lien thereon, from the date of the execution of the deed or other instrument, although no order may have been obtained as required by the Civil Code from a court or judge to authorize such conveyance, mortgage, or other lien.

ARTICLE 3. In order to acknowledge the execution of an instrument in writing under the provisions hereof the parties shall appear in person before the officer authorized to take the same and acknowledge to him that they have executed the same for the purposes and considerations expressed in the instrument. If the parties making the acknowledgment or either of them is not personally known to the officer taking the acknowledgment, their identity must be established on the oath of a credible witness; and, in addition, the married woman making the acknowledgment must be examined privily and apart from her husband by the officer taking her acknowledgment, and the contents of the instrument in writing must be fully explained to her by him, and he shall not accept her acknowledgment unless she declares to him that she has willingly signed the instrument, without fear or compulsion on the part of her husband, and that she does not wish to retract it.

The certificate of acknowledgment of the husband shall be sufficient if it is substantially in the following form:

The Judicial Circuit, }
Canal Zone.

Before me,, in and for, in the Canal Zone, on this day personally appeared, known to me (or proven to me on the oath of, a credible witness) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same, for the purposes and consideration therein expressed.

Given under my hand and seal of office this day of A. D.

²⁴⁴ In the case of *Blue v. Panama Timber Co.*, p. 195, vol. 2, Sup. Ct. Rept. C. Z., the court held that one domiciled in the Canal Zone for the purpose of transacting business in the Republic of Panama is not transiently within the limits of the Canal Zone Government within the meaning of the above Executive Order: that by alien nonresidents, the Executive Order clearly refers to nonresidents who are likewise not citizens of the United States of America. See also case of *Panama Development Co. v. Lam Hing & Co.*, p. 300, vol. 2, Supt. Ct. Rept. C. Z., where the court held that where both the parties, plaintiff and defendant, are alien nonresidents of the Canal Zone, and the contract for the breach of which suit was brought was executed without the territorial limits of the Canal Zone, relating to matters to be performed in a foreign jurisdiction, the courts of the Canal Zone would, upon principle of policy, if not from lack of jurisdiction, be loath to assume jurisdiction.

²⁴⁵ See Civil Code of Colombia-Panama, pp. 33-35, *in re domicile*.

The certificate of acknowledgment of a married woman shall be sufficient if it is substantially in the following form:

The Judicial Circuit. }
Canal Zone.

Before me, in and for in the Canal Zone, on this day personally appeared known to me (or proven to me on the oath of a credible witness) to be the person whose name is subscribed to the foregoing instrument, and the said being examined by me privily and apart from her husband, and having had said instrument fully explained to her by me, acknowledged the same to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, without fear or compulsion on the part of her husband, the said and that she did not wish to retract it.

Given under my hand and seal of office this day of A. D.

ARTICLE 4. Any instrument in writing required to be acknowledged by the provisions of this Order, or by any other law or order of the Canal Zone, shall be acknowledged before a judge of any court of the Canal Zone, the clerk thereof, or before any notary public of said Canal Zone, and may also be acknowledged before the judge of any court of record or the clerk thereof or before any notary public within any state, territory, district or possession of the United States.

If the instrument is one executed in a foreign country the same may be acknowledged before any diplomatic or consular officer or commercial agent of the United States, accredited to such country.

The officers authorized to take acknowledgments hereunder are also empowered to issue proper certificates of the same.

ARTICLE 5. Articles 189²⁴⁶ and 1810²⁴⁶ of the Civil Code, and all laws, orders, and decrees and parts thereof, in conflict with this Order are hereby repealed; provided, however, that this Order shall not affect any deed or other instrument executed pursuant to the laws in force prior to the date upon which this Order shall take effect.²⁴⁷

WM H TAFT.

THE WHITE HOUSE, August 20, 1910.

Order of the President, Sept. 16, 1910, amending civil-service Rule X, regarding transfers.²⁴⁸

Civil Service Rule X, paragraph 8, clause (a), is hereby amended by inserting in the tenth line after the word "requirement" the following words: "in cases of transfer from the Isthmus of Panama or"

As amended clause (a) will read as follows:

"He must have served three years in or under the department or independent office from which transfer is proposed; but the Commission may waive this requirement, when it deems such action necessary in the interest of the service, in cases of transfer other than from one executive department to another at Washington, D. C. In any case he must have received absolute appointment and have actually served at least six months next preceding the transfer; but the Commission may waive this latter requirement in cases of transfer from the Isthmus of Panama or where the person has been separated within a year from a competitive position after six months' service therein, upon the certificate of the proper officer that the separation was caused by necessary reduction of force and not by inefficiency, and may allow transfer to any other department or office upon his passing an examination prescribed by the Commission testing his efficiency for the position to which his transfer is proposed, subject to the other provisions of this rule."

The purpose of this order is to give to employees in the Canal Service who are otherwise eligible the same consideration as is accorded to employees in the classified Philippine Service who have rendered at least three years of meritorious service in the Tropics.

WM H TAFT.

THE WHITE HOUSE, September 16, 1910.

²⁴⁶ Colombia-Panama Civil Code, pp. 61 and 378.

²⁴⁷ See Executive Order of Feb. 2, 1911, p. 104, providing a method of executing and recording deeds and repealing order on same subject of Mar. 12, 1907, p. 58, but in nowise modifying above order relating to conveyances by married women.

²⁴⁸ See Executive Order of Nov. 10, 1917, p. 231, on this subject.

Order of the President, Oct. 4, 1910, abolishing the office of District Tax Collector and prescribing regulations for collection of taxes.

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone Government:

SECTION 1. The office of District Tax Collector, created by paragraph two of the Executive Order effective April 15, 1907,²⁴⁹ is hereby abolished:

SECTION 2. The duties heretofore discharged by the District Tax Collectors shall be performed by the Collector of Revenues²⁵⁰ in person or by duly appointed deputies, provided that there shall be a Deputy Collector of Revenues assigned to each Administrative District, who, under the direction and supervision of the Collector of Revenues shall exercise and perform the duties of the Collector of Revenues within the respective districts. The Collector of Revenues shall have such additional deputies, assistants and other help as are now assigned to him or may hereafter be assigned to him by competent authority.

The existing laws relating to the execution of official bonds by the Collector of Revenues and his deputies shall not be affected in any manner by this order.

SECTION 3. Taxes and penalties assessed against real estate or the improvements thereon shall constitute a lien on such property which shall be superior to all other liens, mortgages or encumbrances of any kind whatsoever and shall be enforceable against the property whether in the possession of the delinquent or any subsequent owner and can be discharged only by the payment of the taxes, a penalty of twenty per cent. (20%), and any costs that may have accrued.

SECTION 4. A statement showing the persons delinquent for taxes in the respective districts prepared and signed by the Collector of Revenues and approved by the Head of the Department of Civil Administration and containing the requisites prescribed by Section 54 of Act 7 of the Laws of the Canal Zone enacted September 1, 1904, shall be sufficient warrant for the proceedings to seize and sell property sufficient to satisfy the amount of taxes, penalties and costs due in each case, and the monies acquired by the Collector of Revenues at such sale shall be duly accounted for by him to the Treasurer of the Canal Zone, in like manner as other public monies received by him; and in making returns thereof he shall show the total amount of proceeds received from such sale, the amount of taxes, penalties and costs and any surplus remaining that may have been paid over to the delinquent tax payer for the payment of such surplus.

SECTION 5. The owner of personal property seized may redeem the same from the Collector of Revenues at any time before the sale, but not afterwards, by tendering to him or his deputy the amount of the taxes, penalties, and costs up to the time of the tender; the costs to be charged in making such seizure and sale shall only embrace the actual expense of the seizure and preservation of the property pending the sale, and no charge shall be imposed for the services of the collecting officer.

The purchaser at a tax sale of personal property shall acquire an indefeasible title to the property sold, and the officer making the sale shall execute a bill of sale of such property to the purchaser.

SECTION 6. The provisions of said Act 7 of the Canal Zone Laws, relating to the forfeiture of real estate and other immovable property to the municipalities, formerly existing, in default of bidders at tax sales, and the procedure therein established in such cases, and the conditions therein prescribed in respect to the redemption of such property by the delinquent tax payers, and the execution of deeds to the municipalities thereunder when the property was not duly redeemed shall apply hereafter to the Canal Zone Government, and the property shall pass to the Canal Zone Government in default of bidders at such tax sales, in like manner and form as it did to the abolished municipalities under the said Act 7.

SECTION 7. Deeds conveying title to real estate or to improvements thereon executed by the Collector of Revenues or his deputies to private persons or to the Canal Zone Government under tax sales pursuant to law, shall convey all right, title, and interest of the delinquent tax payer in and to the property sold, on the date of such sale, and shall be entitled to registration in the real estate records of the district in which the property is situated.

SECTION 8. All the provisions of said Act 7 of the Canal Zone Laws relating to the levy, assessment and payment of taxes and the enforced collection thereof which conferred powers and imposed duties on the officials of the abolished municipalities

²⁴⁹ See duties of tax collector prescribed by that order, p. 60.

²⁵⁰ See secs. 28-52 of act No. 7 of the Commission (L. C. Z. 37), creating Department of Revenues, defining duties of officials thereof, etc. See also Governor's Circular No. 660-10, providing for a Division of Civil Affairs of the Executive Department.

shall be held to apply to the Collector of Revenues, and, hereafter, he shall exercise and discharge all of said powers and duties in person or through his deputies in the respective administrative districts.

SECTION 9. All laws, orders or decrees in conflict with this order are hereby repealed but the repeal shall not affect any action or procedure that may have been taken or had under preexisting laws and such action or procedure if not terminated shall be proceeded with in conformity with this order as near as may be; and, provided further, property now delinquent for taxes may be sold to satisfy the taxes due thereon under the provisions hereof in like manner as may be done with property becoming delinquent hereafter.

SECTION 10. Nothing in this Executive Order shall be held to deprive the Chairman and Chief Engineer or the Head of the Department of Civil Administration from exercising any power or authority now conferred on them, or either of them, by law in relation to the appointment of officers and employees, or the supervision of the work of officers and employees responsible or reporting to them, or to either of them.

WM H TAFT.

THE WHITE HOUSE, *October 4, 1910.*

Order of the Secretary of War, Oct. 4, 1910, placing the Department of Law under the direction of the Counsel and Chief Attorney.

ISTHMIAN CANAL COMMISSION,
OFFICE OF CHAIRMAN AND CHIEF ENGINEER,
CULEBRA, CANAL ZONE, *October 4, 1910.*

The Department of Law, created by the Executive Order of January 6, 1908,²⁵¹ establishing an organization under the Isthmian Canal authorities, shall be under the direction of the Counsel and Chief Attorney, subject to the supervision of the Chairman and Chief Engineer.

In addition to the powers and duties assigned to him by the Executive Order of April 16, 1910,²⁵² the Counsel and Chief Attorney shall be charged with the general supervision of the legal matters pertaining to the Commission, including the acquisition of right of way and the adjustment of land damages.

GEO. W. GOETHALS,
Chairman and Chief Engineer.

Approved, October 4, 1910.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT, *Washington, D. C.*

TO PRESCRIBE THE MANNER OF LEASING PUBLIC LANDS IN THE CANAL ZONE.

By virtue of the authority vested in me I hereby establish the following order for the Canal Zone:

SECTION 1. The Isthmian Canal Commission is hereby authorized and empowered to establish rules and regulations, from time to time, for the leasing of public lands in the Canal Zone, in accordance with the provisions of the Act of Congress, approved February 27, 1909, and entitled: "An act relating to the use, control and ownership of lands in the Canal Zone, Isthmus of Panama."²⁵³

SECTION 2. The leases for public lands authorized to be made under said Act of Congress shall be executed by the officer in charge of the Land Office²⁵⁴ of the Canal Zone Government, with the approval of the Head of the Department of Civil Administration; but the Isthmian Canal Commission, with the approval of the Secretary of War may designate some other officers to execute or approve such leases, when, in the opinion of the Commission it is necessary or convenient to do so.

WM H TAFT.

THE WHITE HOUSE, *October 7, 1910.*

²⁵¹ p. 72.

²⁵² p. 97. See notes thereunder *in re* Counsel and Chief Attorney, District Attorney, and Special Attorney.

²⁵³ T. & A. 51.

²⁵⁴ Created by Executive Order of Jan. 19, 1911, p. 103. See notes thereunder.

Order of the Secretary of War, Jan. 5, 1911, amending orders relative to import duties, and exclusion of tropical employees from commissary privileges.

WAR DEPARTMENT,
Washington, January 5, 1911.

Orders:

1. By direction of the President, it is ordered that the first proviso of section 1 of the Order issued by the Secretary of War, by direction of the President, on December 3, 1904, which was promulgated in Circular No. 4, Isthmian Canal Commission, December 30, 1904,²⁵⁵ be amended to read as follows:

"Provided, however, That this order shall cease to be operative—

"First. If the Republic of Panama should at any time increase the rate of duty on imported articles described in class 2 of the Act of the National Convention of Panama passed July 5, 1904, and effective October 12, 1904, above fifteen per centum *ad valorem*, provided for in said Act; or if the said Republic should increase at any time the rates of duty on the imported articles described in the other schedules of said Act, except on all forms of imported wines, liquors, alcohols and opium, upon which the Republic may fix higher rates.

"Second. If article thirty-eight of the Constitution of the Republic of Panama, as modified by Article one hundred and forty-six thereof, is repealed or modified at any time in so far as the importation and sale of all kinds of merchandise are concerned.

"Third. If the consular fees and charges of the Republic of Panama, in respect to the entry of all vessels and importations into the said ports of Colon and Panama, are increased beyond the rates now in force,—which rates are understood to be sixty per centum of the rates in force prior to the promulgation of said order of December 3, 1904; or,

"Fourth. If goods imported into the ports of Colon and Panama, consigned to or designated for any port in the Canal Zone, are at any time subjected in the Republic of Panama to any other direct or indirect impost or tax whatever."

2. Paragraph 3 of the Order issued by the Secretary of War, by direction of the President, on January 7, 1905,²⁵⁶ which contemplates the exclusion from the benefits of the commissaries established and maintained by the Canal Commission of all employees and workmen who are natives of tropical countries is hereby revoked.

J. M. DICKINSON,
Secretary of War.

Order of the President, Jan. 16, 1911, authorizing use of French dump cars without safety appliances for obtaining gravel until July 1.

Under authority vested in me by law, it is ordered:

The Isthmian Canal Commission is hereby authorized to use six-meter French dump cars for the purpose of obtaining gravel from the bed of the Chagres River until July 1, 1911, without equipping such cars with the various safety appliances required by the provisions of Executive Order No. 1002, dated January 6, 1909.²⁵⁷

WM H TAFT.

THE WHITE HOUSE, January 16, 1911.

TO CREATE A LAND OFFICE FOR THE CANAL ZONE AND FOR OTHER PURPOSES.

By virtue of the authority vested in me, I hereby establish the following Order for the Canal Zone:

SECTION 1. A Land Office for the Canal Zone is hereby created under the jurisdiction of the Department of Law, and subject to the superior direction of the Chairman and Chief Engineer. The Land Office shall be in charge of an official to be known as Land Agent.

SECTION 2. The papers, maps, records, and other documents relating to the lands owned or controlled by the United States in the Canal Zone and the lands auxiliary to the canal in the Republic of Panama outside of the Canal Zone, when not otherwise provided by law, shall be kept in the Land Office in the care and custody of the Land Agent, under such rules and regulations as the Isthmian Canal Commission may establish from time to time.

²⁵⁵ p. 29.

²⁵⁶ pp. 33.

²⁵⁷ p. 86.

SECTION 3. It shall be the duty of the Land Agent to render assistance to the Head of the Department of Law in all matters relating to the investigation of land claims and land titles; and under the direction of that officer he shall have the supervision of Government lands to prevent unauthorized intrusions thereon; and shall perform such other duties as may be assigned to him in accordance with law. He shall have such assistants and other help as may be authorized by the Chairman and Chief Engineer.

SECTION 4. The Isthmian Canal Commission may adopt rules and regulations for the government of the Land Office, in conformity with this Order and not inconsistent with the Executive Order of October 7, 1910, entitled: "Executive Order. To prescribe the manner of leasing public lands in the Canal Zone."²⁵³

SECTION 5. The Isthmian Canal Commission is hereby authorized to enter into an arrangement with the Panama Railroad Company to consolidate the said Company's Land Office with the Land Office hereby created,²⁵⁹ and by which the papers, maps, records, and other documents affecting the Panama Railroad Company's lands in the Canal Zone and the Republic of Panama may be transferred to the Land Office created by this Order, there to be kept in the custody of the Land Agent for the use and benefit of the Railroad Company; and the arrangement so made may provide that the work now done by the personnel in the Panama Railroad Company's Land Office, including land surveys and investigation of land claims, may be done by the Government Land Agent and other personnel of the Canal Commission.

The arrangement hereby authorized shall be effected upon such terms, in respect to reimbursement and other compensation from the Panama Railroad Company to the Commission, as may be agreed upon by the Isthmian Canal Commission and the Panama Railroad Company.

SECTION 6. This Order shall take effect thirty days from and after this date.²⁶⁰

WM H TAFT.

THE WHITE HOUSE, *January 19, 1911.*

TO PROVIDE A METHOD OF EXECUTING AND RECORDING DEEDS, AND TO REPEAL THE EXECUTIVE ORDER DATED MARCH 12, 1907, EFFECTIVE APRIL 15, 1907, RELATING TO THE SAME SUBJECT.

ARTICLE 1. No conveyance of immovable property or of an interest therein, or a mortgage thereon, shall be effective except by an instrument in writing, executed and delivered between parties competent to contract, and sufficiently describing the property conveyed, or mortgaged, and signed by the person executing the same, or if he is not able to write he shall affix his mark thereto,—and duly acknowledged in accordance with the provisions of this order, before some officer authorized to take acknowledgments, provided, however, that a copy of any instrument in writing, affecting immovable property in the Canal Zone, duly executed before a Notary Public in the Republic of Colombia prior to November 3, 1903, or in the Republic of Panama after said date; and authenticated by the Notary Public charged with the custody of the protocol containing the original deed from which the copy was taken, shall be valid and effective as a conveyance of the lands or interests in the lands therein described.

ART. 2. The acknowledgments provided for in this order shall be made in the manner and form provided for the husband's acknowledgment in the Executive Order of August 20, 1910, entitled "Executive Order.—Conveyance of Real Estate by Married Women."²⁶¹

ART. 3. If for any reason the Grantor in the instrument can not appear before the officer authorized to take acknowledgments, the execution of such instrument must be attested by not less than two subscribing witnesses, and may be proven by the oath of one of the subscribing witnesses to such instrument, taken before any of the officers authorized to take acknowledgments, to the effect that he subscribed such instrument as a witness at the request of the grantor, who signed the same in his presence, or who acknowledged to him that he had signed the same, for the purposes and consideration therein expressed.

²⁵³ p. 102.

²⁵⁹ Resolution of the Commission of Apr. 15, 1911, p. 1768, Minutes of Commission, consolidated land offices of the Commission and Panama Railroad.

²⁶⁰ See also act of Congress of Feb. 27, 1909 (T. & A. 51), relating to use of lands in the Canal Zone, and Executive Order of June 28, 1911, p. 113, authorizing issuance of revocable licenses for town lots.

²⁶¹ p. 99.

The Certificate of Acknowledgment shall be sufficient if it is substantially in the following form:

The Judicial Circuit, }
Canal Zone. }

Before me in and for in the Canal Zone on this day personally appeared known to me (or proven to me on the oath of a credible witness), to be the person whose name is subscribed as a witness to the foregoing instrument, and after being duly sworn by me, on his oath deposes that he subscribed the same as such witness at the request of the grantor named in the foregoing instrument, and that he saw the grantor execute the same (or that the grantor acknowledged to him that he had executed the same, as the case may be), for the purposes and consideration therein expressed.

Given under my hand and seal of office this day of A. D.

ART. 4. The officers authorized to take acknowledgments under this order shall issue proper certificates of all acknowledgments taken or proven before them.

ART. 5. The Clerk of the Circuit Court of the First Judicial Circuit of the Canal Zone shall be, *ex officio*, Registrar of Property of the Canal Zone,²⁶² and it shall be his duty to record all instruments authorized to be recorded by this order, or any other law or order of the Canal Zone, and presented to him for record, in a well bound book or books kept by him for that purpose, and he shall attach a certificate to each deed so recorded by him; which certificate shall state the date and hour of the filing of the instrument for record, as well as the book and page or pages of the record upon which the same is recorded;—and shall be signed by him under his official title, and shall be impressed with his seal. The seal of the Registrar shall contain the words "Registrar of Property of the Canal Zone."

He shall keep an index, direct and cross, of the instruments recorded by him, which shall show the names of the grantor and grantee of each instrument recorded by him, the date of the instrument and the date of the filing of the same, and the book and page or pages in which it is recorded.

ART. 6. It shall be the duty of the Registrar of Property to keep a file docket wherein he shall note the filing of all instruments when presented to him for record, which docket shall contain the names of the parties to the instrument, the date of the same, and the date and hour of its filing in the Registrar's office; and all such instruments shall be deemed to have been recorded from the time of such filing.

ART. 7. No instrument in writing shall be admitted to record in the Registrar's office except such as are acknowledged or authenticated in the manner provided for in this order.

ART. 8. The instruments described in Article 1 of this order, and executed in conformity therewith, as well as the instruments described in the Executive Order of August 20, 1910, entitled "Executive Order.—Conveyance of Real Estate by Married Women," and executed in accordance therewith, shall be admitted to record in the Registrar's Office.

ART. 9. A copy of any Notarial deed relating to property in the Canal Zone, taken from the records in the office of the Registrar of Property of Panama or Colon, Republic of Panama, and recorded therein prior to February 26th, 1904,²⁶³ and duly certified by the Registrar issuing the same, shall be recorded in the office of the Registrar of Property of the Canal Zone, in like manner as provided for deeds executed in the Canal Zone.

ART. 10. In all cases in which Spanish documents are admitted to registration under the provisions of this order, such documents shall be accompanied by English translations which shall be recorded with them.

ART. 11. A copy of any final judgment or decree of a court of competent jurisdiction of the Canal Zone, vesting the title to immovable property or any interest therein, in one or more of the parties to said judgment or decree, and duly certified by the clerk of the court in which the judgment or decree was rendered, as being a true copy of such judgment or decree as the same appears in the records of the court, shall be admitted to record in the Registrar's office in like manner as provided hereinfor deeds executed in the Canal Zone.

²⁶² Prior to this Order all three Circuit Court clerks were charged with this duty. Under the Panama Canal Act all laws of the Canal Zone imposing duties upon the clerks of existing courts apply to clerks of the new courts created by that act. See Executive Order of July 3, 1914, p. 177, relating to duties of clerk of District Court and his assistants regarding property registry and issuance of marriage licenses.

²⁶³ Date of Proclamation of Hay-Varilla Treaty ceding Canal Zone to United States.

ART. 12. A copy of a judgment or decree of a court of competent jurisdiction of the Republic of Panama, affecting immovable property situated in the Canal Zone, rendered prior to the 26th day of February, 1904, and duly certified by the clerk or secretary of the court rendering such judgment or decree, and by the judge thereof, when the signature of the said judge is authenticated by the Secretary of Foreign Relations of Panama, shall in like manner be admitted to record in the Registrar's office under the provisions of this order.

ART. 13. No deed or other instrument in writing affecting immovable property shall be valid against subsequent creditors of, or bona fide purchasers for value, without notice, from the owner of such property, unless the same shall have been recorded with the Registrar of Property of the Canal Zone.

ART. 14. The Registrar's offices at Empire and Cristobal²⁶⁴ shall be discontinued on and after the date on which this order goes into effect, and the books and records of immovable property in those offices shall be transferred to the Registrar's office hereby created, and shall become a part of the records of his office; and after this order takes effect all deeds, or other instruments, required to be recorded by the provisions of this order or any other law or order of the Canal Zone, shall be recorded in the office of the Registrar herein provided for.

ART. 15. The Registrar of Property shall be entitled to charge for his services rendered as Registrar, the following fees, United States currency:

For each instrument recorded, including his certificate thereto ten cents per folio of one hundred words; but no charge shall be less than fifty cents for any one instrument.

For each certified copy issued by him of an instrument recorded in his office, including certificate thereto, ten cents per folio of one hundred words; but no charge shall be less than fifty cents for each copy thereof.

For searching his records and giving a certificate thereto of any fact or facts contained in his records, fifty cents for each certificate: provided that where more than one record book is searched he may charge twenty-five cents for each additional book.

The fees so collected by the Registrar of Property shall be turned in by him to the Canal Zone Treasury.

ART. 16. Any instrument in writing mentioned in Article 1 of this order and duly acknowledged or authenticated in the manner therein described, and any deed or other instrument executed and acknowledged in accordance with the provisions of the said order of August 20th, 1910, relating to conveyances by married women, may be used in evidence on the trial of any action or special proceedings without the necessity of proof of its execution unless such instrument is attacked for forgery by the affidavit of the adverse parties; provided, however, that such instrument shall not be admissible in evidence without proof of its execution unless the same or a copy thereof be filed with the clerk of the court wherein such action or special proceeding is pending, and due notice is given to the opposite party or his attorney at least three days before the trial of such action or special proceeding.

ART. 17. A copy of any instrument duly recorded under the provisions of this order and certified to by the Registrar in charge of the record, may be used in evidence in any judicial proceedings in like manner and effect as might be done with the original if produced, provided such certified copy is filed with the clerk of the court wherein the action or proceeding is pending, and due notice of the filing of such copy is given to the adverse party or his attorney at least three days before the trial or proceedings in which the said copy is to be produced in evidence.

ART. 18. All orders or decrees and parts thereof in conflict with this order are hereby repealed, and the Executive Order of March 12, 1907,²⁶⁵ effective April 15, 1907, relating to the execution and recording of deeds is also hereby repealed; provided, however, that this order shall not affect a deed or other instrument relating to immovable property executed pursuant to the said order of March 12, 1907, prior to the date on which this order shall take effect, and provided further that this order shall not be construed to modify in any manner the Executive Order of August 20th, 1910,²⁶⁶ relating to the conveyance of real estate by married women.

ART. 19. This order shall take effect sixty days from its date.

WM H TAFT.

THE WHITE HOUSE, February 2, 1911.

²⁶⁴ 2d and 3d judicial circuits.

²⁶⁵ p. 58.

²⁶⁶ p. 99.

Order of the Secretary of War, Mar. 11, 1911, exempting Juan Vampero, Filipino, from operation of order limiting employment and providing for discharge of aliens.

By authority of the President, it is ordered that the Executive Order of December 23, 1908, limiting the employment and providing for the discharge of aliens, shall not apply to Juan Vampero, a native of the Philippine Islands.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., March 11, 1911.

JUSTICES OF THE SUPREME COURT.

Under authority vested in me by law, and until otherwise provided by law or ordered, Walter W. Warwick is appointed an Associate Justice of the Supreme Court of the Canal Zone, at a salary of six thousand dollars per annum, effective the day he enters on the duties of the office.

WM. H. TAFT.

THE WHITE HOUSE, *March 16, 1911.*

Order of the President, Mar. 16, 1911, appointing Thomas E. Brown, jr., as Associate Justice of the Supreme Court of the Canal Zone.

Under authority vested in me by law, and until otherwise provided by law or ordered, Thomas E. Brown, Jr., is appointed an Associate Justice of the Supreme Court of the Canal Zone, at a salary of six thousand dollars (\$6,000) per annum, effective the day he enters on the duties of the office.

WM. H. TAFT.

THE WHITE HOUSE, *March 16, 1911.*

Order of the President, Mar. 20, 1911, classifying certain employees transferred from the Panama Railroad Company to the Commission on consolidation of storehouses.

On January 1, 1911, for the purposes of economy, certain storehouses of the Panama Railroad Company were consolidated with the storehouse operated by the Quartermaster's Department of the Isthmian Canal Commission and all the employees of the Panama Railroad Company whose services were needed in the consolidated storehouse were transferred to the Isthmian Canal Commission. Among the employees so transferred are Francis E. Huck, Jr., Reuben B. Luker, Edmund Sale, Peter Stuart, and Carl M. Williams, who have been employed as clerks by the Panama Railroad Company for a number of years, during which time they have rendered satisfactory service, and since January 1, 1911, have been temporarily employed under the civil service rules.

These persons may be retained and become a part of the classified force of the Isthmian Canal Commission under section 6 of Civil Service Rule II but with the same restrictions applicable to clerks appointed on the Isthmus without a competitive status, who in order to be transferred must pass a competitive examination and be reached for certification. The classification of these persons is made upon the recommendation of the Isthmian Canal Commission with the concurrence of the Secretary of War and the Civil Service Commission.

WM. H. TAFT.

THE WHITE HOUSE, *March 20, 1911.*

Order of the President, May 2, 1911, making it a felony for persons to return to the Canal Zone after imprisonment in penitentiary and deportation.

By virtue of the authority invested in me, I hereby establish the following Order for the Canal Zone:

ARTICLE 1. If any person after having been convicted and having served a sentence of imprisonment in the Canal Zone, and after being deported therefrom, returns to

the Canal Zone, he shall be deemed guilty of a felony and punished by imprisonment in the penitentiary for one year, and thereafter removed from the Canal Zone in accordance with the laws and orders relating to deportation.²⁶⁷

ART. 2. This order shall take effect from and after this date.²⁶⁸

WM. H. TAFT.

THE WHITE HOUSE, May 2, 1911.

RELATING TO THE ARREST AND DISCHARGE OF DESERTING SEAMEN.

By virtue of the Authority vested in me, I hereby establish the following Order for the Canal Zone:

1. If any seaman who shall have signed a contract to perform a voyage shall absent himself from an American vessel at any port or place in the Canal Zone, without leave of the master, or officer commanding in the absence of the master, such master or the Collector of Revenues or his deputy acting as the Shipping Commissioner²⁶⁹ may make complaint against such absent seaman to the judge of any Circuit Court of the Canal Zone, who thereupon shall issue his warrant against the seaman complained of in order that he may be brought before him to answer the complaint; and, after a hearing before said judge, if it shall appear that the seaman had signed a contract to perform a voyage on the vessel and that the voyage agreed for is not finished or altered, or that the contract was not otherwise dissolved, and that such seaman has deserted the vessel, or absented himself therefrom without leave, the judge shall commit him to jail to remain there until the vessel shall be ready to proceed on her voyage, or until the master shall require his discharge, and then to be delivered to the master, the latter paying all the costs of such commitment which may be deducted by him from the wages due to such seaman.

2. If it shall appear on the hearing hereinbefore provided for that the voyage of the vessel is continued contrary to agreement, or that the vessel is badly provisioned, or unseaworthy, or that the officers of the ship have been guilty of cruel treatment toward the seaman, he shall be discharged and the judge shall require the master to pay to such seaman one month's wages over and above the wages due at the time of discharge, and to provide him with adequate employment on board some other vessel, or provide him with a passage on board some other vessel bound to the port from which he was originally shipped, or to the most convenient port of entry in the United States, or to a port agreed to by the seaman, and the seaman shall have lien on the vessel to compel compliance with the order of the judge, who shall have authority to issue all writs necessary to enforce his jurisdiction; and the judge shall cause to be entered upon the crew list and shipping articles and official log the cause of discharge and the particulars in which the cruel or unusual treatment consisted, and shall cause his name to be subscribed thereto officially, and shall cause the entry made in the official log to be read to the master. The latter's reply thereto, if any, shall likewise be caused to be entered and subscribed in the same manner.

3. If any consul or vice-consul of any foreign government, who is commissioned to the government of the Republic of Panama and is recognized by the United States in the Canal Zone, such foreign government having a treaty with the United States, or with the Republic of Panama, stipulating for the restoration of seamen deserting, shall make application in writing stating that the person therein named has deserted from a vessel of any such government while in any port of the Canal Zone, and shall furnish proof by the exhibition of the register of the vessel, ship's roll, or other official document, that the person named belonged, at the time of the desertion, to the crew of such vessel, it shall be the duty of any judge of any Circuit Court of the Canal Zone, to issue warrants to cause such person to be arrested for examination. If, on examina-

²⁶⁷ In the case of *Canal Zone v. Burroughs*, p. 143, vol. 2, Sup. Ct. Rept. C. Z., the court decided (on Apr. 20, 1912), that one convicted of a felony and who had been deported from the Canal Zone prior to May 2, 1911, can not be convicted of a violation of the Executive Order making it a felony for one who has been convicted and served a sentence of imprisonment to return to the Canal Zone after deportation. See also case of *Canal Zone v. Gibbs*, p. 184, vol. 2, Sup. Ct. Rept. C. Z., where the court held that one who temporarily returns to the Canal Zone after having been convicted and having served a sentence in prison, and after deportation therefrom, is not guilty of violating the provisions of the Executive Order of May 2, 1911. (See later order of Sept. 25, 1913, p. 151).

²⁶⁸ Repealed by Executive Order of Sept. 25, 1913, p. 151.

²⁶⁹ Sec. 9, act of Congress of Aug. 21, 1916 (T. & A. 128), applies laws relating to seamen of vessels of the United States on foreign voyages to seamen of all vessels of the United States at the Canal Zone, and bestows certain authority in connection therewith on the Shipping Commissioner on the Canal Zone. See also Governor's Circular No. 679-Rev. relating to Customs Service, Art. XVIII of which relates to duties of Shipping Commissioner, and Circular No. 660-48, authorizing the Bureau of Shipping Commissioner in the Executive Department.

tion, the facts stated are found to be true, the person arrested, not being a citizen of the United States, or of the Republic of Panama, shall be delivered up to the consul or vice-consul, to be sent back to the dominions of any such government, or, on the request and at the expense of the consul or vice-consul, shall be detained until the consul or vice-consul finds an opportunity to send him back to the dominions of any such government. No person so arrested shall be detained more than two months after his arrest; but at the end of that time shall be set at liberty, and shall not be again molested for the same cause. If any such deserter shall be found to have committed any crime or offense, his surrender may be delayed until the tribunal before which the case shall be pending, or may be cognizable, shall have pronounced its sentence, and such sentence shall have been carried into effect.

4. This Order shall take effect from and after this date.

WM. H. TAFT.

THE WHITE HOUSE, May 6, 1911.

GOVERNMENT OF THE INSANE ASYLUM FOR THE CANAL ZONE.

By virtue of the authority vested in me I hereby establish the following Executive Order for the Canal Zone:

SECTION I. The Asylum for the Insane at Ancon, as heretofore, shall be under the jurisdiction of the Department of Sanitation. The object of said Asylum shall be the curative treatment of the insane.

SEC. II. The Superintendent of the Ancon Hospital shall be the administrative chief of the Asylum for the Insane, subject to existing laws and orders, and to such rules and provisions as may be issued by the Department of Sanitation in accordance with existing laws and orders. He shall be in charge of the general inspection of buildings, grounds and equipment, and shall have the supervision over the professional and administrative personnel of the Asylum and over the inmates, and shall satisfy himself that all patients receive the care and medical treatment which is best adapted to their comfort and recovery.²⁷⁰

He shall see that a proper register of the patients is kept, showing their names, previous residence, occupation, origin and antecedents, and condition at the time of admission, and their mental and physical condition, as well as their medical treatment during the time of their stay in the Asylum shall be recorded. The death or discharge of patients shall be entered in the register.

SEC. III. No person declared to be insane shall be kept in a jail, prison, hospital for the sick or other similar institution, but shall be sent, with the proper precautions, to the Asylum for the Insane herein provided for.

SEC. IV. The Superintendent of Ancon Hospital, through the physician in charge of the Insane Asylum, may discharge any patient upon filing in his office a written statement that in his judgment such patient has recovered or that the discharge will not be detrimental or dangerous to the public welfare or injurious to the patient, provided, that before discharging any patient who has not recovered the Superintendent shall satisfy himself by adequate investigation that the relatives or friends of the patient are able and willing to receive and care for such patient.

No patient shall be discharged without suitable clothing.

The discharges referred to in this section do not apply to commitments on judicial orders in criminal cases, in which cases the discharges can be granted only by the Court which directed the commitment of the prisoner.

SEC. V. No person shall be admitted as a patient in the Asylum for the Insane except upon the order of a Circuit Judge of the Canal Zone, provided, that if a patient is in a state of violent insanity he may be admitted at once into the quarters herein-after provided for the observation of persons alleged to be insane, without an order of court, upon the written request of the District Physician to the Superintendent of Ancon Hospital; or the patient may be admitted to the observation quarters by said Superintendent without such request, in the absence of the District Physician.

It shall be the duty of the Superintendent of Ancon Hospital to report the case in writing to the Circuit Judge, within twenty-four hours after the patient has been admitted to the observation quarters, and as soon as the Judge shall have received the report he shall proceed to examine and determine the case in like manner as if the petition had been presented to him prior to the patient's admission into observation quarters.

²⁷⁰ Sec. 244 of the Penal Code (L. C. Z. 131), provides that every person guilty of any harsh, cruel or unkind treatment of, or any neglect of duty toward any idiot, lunatic, or insane person, is guilty of a misdemeanor.

SEC. VI. To obtain the judicial order provided for in the preceding section it shall be necessary for the nearest relative of the person alleged to be insane to present a petition, duly subscribed and sworn to by the petitioner, to the Judge of any Circuit Court of the Canal Zone, which petition shall state the sex, age and nationality, if known, of the patient, and the facts showing his mental infirmity, and, if possible, the history of the case and the form of insanity with which he is suffering and the attending circumstances making it necessary that he be confined in the Asylum. The petition shall be accompanied by a certificate signed by one or more reputable physicians to the effect that such person is insane.

When the nearest relatives of the person alleged to be insane are absent or refuse to act the petition may be made by the District Judge of the District in which the patient resides or is to be found, at the time the application is made, and in that event it shall state that the nearest relatives of the person alleged to be insane are absent or refuse to act.

SEC. VII. The petition provided for in the preceding section shall take precedence over all other matters pending before the court and shall be heard by the judge thereof without delay, and if the facts stated therein are sufficient to satisfy him of the insanity of the person sought to be confined he shall issue orders at once directing that the person alleged to be insane be taken into custody and placed in quarters hereinafter provided, for the proper observation of the case.

The order of the Judge directing that the person alleged to be insane be placed under observation shall be sufficient authority for the Superintendent of the Asylum to admit the patient into the institution for the purposes of observation, there to remain until the observation is concluded; and the Judge shall direct in said order that if the observation shall show that the patient is not insane he shall be set at liberty at once, and the medical officer in charge of such observation shall forthwith report his action thereon to the judge who issued the order.

The observation of the alleged insane person shall be made in suitable quarters within the asylum grounds, by the chief medical officer thereof, or under his direction, and shall be for a period of not more than thirty days, and the judge who issued the order for the detention of the patient may require the medical officer in charge of the case to make reports thereon to him from time to time.

SEC. VIII. The observation provided for in this law may be carried on at the residence of the alleged insane person, when, in the opinion of the Judge, that may be done with safety to the patient and the public; and in such cases the Judge may impose such limitations and conditions as in his judgment the interest of the patient and the safety of the public demand.

SEC. IX. It shall be the duty of the physician in charge of the observation to examine the patient and observe the symptoms of his case; within thirty days after the patient is placed under observation the medical officer in charge of the case shall make his report thereon in writing, and shall state whether the patient is sane or insane. The report shall contain a statement of the facts upon which it is based, and shall be sent to the court having jurisdiction of the case, within twenty-four hours after the same has been subscribed by him.

SEC. X. It shall be the duty of the Judge having jurisdiction of the case, within twenty-four hours after the receipt of the report provided for in the preceding section to render judgment therein, either committing the patient to the Asylum for the Insane or directing that he be turned over to his relatives, able and willing to take care of him, or to order his discharge, in accordance with the findings of the medical officer in charge of the case.

SEC. XI. The relatives of the person alleged to be insane, or the Public Prosecutor, may appear and contest the report of the medical officer, and in such cases the Judge shall hear the evidence presented by the parties and render judgment thereon, either committing the patient to the asylum or directing his discharge as the law and the facts in the case may justify.

SEC. XII. From the judgment of the court rendered in accordance with the preceding section either of the parties may appeal to the Supreme Court of the Canal Zone, which court shall hear and dispose of the case with all reasonable despatch, giving it precedence over all other matters pending therein.

When an appeal is taken the trial court shall issue such orders as it may deem necessary and proper for the custody and safe-keeping of the patient during the hearing of the appeal.

Any person interested in an inmate of the Asylum, who believes he is improperly detained therein, may make application to the Circuit Judge of the First Judicial Circuit for the discharge of such patient. Upon the receipt of such application the Judge shall issue an order to the Superintendent of Ancon Hospital to make a report

on the patient's condition, and upon the receipt of such report the Judge shall consider the same, and, in his discretion, may grant or deny the application. Should the Judge be in doubt as to the proper action to take he may cause the patient to be examined by two competent physicians who shall report to the Judge in writing as to whether the patient should be released or detained in the Asylum. If the physicians recommend the detention of the patient the court may deny the application; should they recommend his release the Judge may grant the petition and discharge the patient at once.

The relatives or friends of the patient or the Public Prosecutor, if dissatisfied with the ruling of the Judge may appeal therefrom to the Supreme Court of the Canal Zone, which Court shall dispose of the appeal as in ordinary cases provided for under this Order; and pending the appeal the trial court may make such orders relating to the custody of the patient as may best subserve the interest of the patient and the public.

If the insane person shall be serving a sentence for the violation of the criminal laws, the Circuit Court of the Circuit wherein the conviction shall have been had shall have jurisdiction of the petition for the discharge of the patient from the Asylum.

SEC. XIII. The order of the Judge directing that the patient be admitted to the Asylum for the Insane for care and treatment shall also provide that the marshal, or police officer acting as marshal of the court, shall convey the patient promptly under proper escort to the Asylum.

SEC. XIV. If any person confined in a prison or penitentiary under the sentence of a court becomes insane he shall be committed to the asylum for the Insane by the Judge of the Circuit Court of the Circuit wherein the patient received his sentence of conviction. In all such cases the provisions of this order, relating to the period of observation of the patient and the trial of the issue as to his insanity shall be observed, provided however, that the period of observation shall be carried out in the infirmary of the prison or penitentiary, unless the Judge, on the advice of the Department of Sanitation is of the opinion that it should take place elsewhere. Whenever a person is committed to the Insane Asylum under the provisions of this section, the order of commitment issued by the court shall include a statement of the offense of which the person was convicted, the term of his imprisonment and the date upon which said term is to expire. Should such person be discharged from the insane asylum before the date of the expiration of his term of imprisonment he shall be returned to the penal institution from which he was taken, in order that he may finish his term; and shall be set at liberty if his discharge from the Asylum takes place subsequent to the date of the expiration of his term of imprisonment.

SEC. XV. All expenses connected with cases of insanity, including the cost of observation, transportation, care, treatment and maintenance of the patients, shall be borne by their respective estates, to be paid in due order of administration of their estates in accordance with the probate laws of the Canal Zone,²⁷² and if the patients are insolvent then the expense shall be borne by the relatives responsible for the care and maintenance of such patients under the law to be recovered by the Isthmian Canal Commission against such relatives in any court of competent jurisdiction; and if the relatives of the patients are also insolvent then such expenditure shall be paid out of the public moneys appropriated for such purposes.

SEC. XVI. Nothing contained in this Order shall be construed to repeal or modify the provisions of the Code of Criminal Procedure of the Canal Zone relating to the inquiry into the insanity of the defendants before trial or after conviction.²⁷³

SEC. XVII. Insane patients from the Republic of Panama may be admitted into the Asylum for the Insane, herein provided for, in accordance with the existing agreements between the Canal Zone authorities and the Panamanian authorities, or under such changes and modifications of said agreements as may be made from time to time.²⁷³

SEC. XVIII. The Canal Commission is hereby authorized to establish rules and regulations from time to time as may be deemed necessary for the government of the Asylum for the Insane herein provided for, subject to the approval of the Secretary of War.²⁷⁴

SEC. XIX. This order shall take effect thirty days from this date.

WM. H. TAFT.

THE WHITE HOUSE, May 10, 1911.

²⁷² Executive Order of Feb. 5, 1912, p. 126, includes provision for administering estates of employees adjudged insane.

²⁷³ See secs. 250-253 (L. C. Z. 212), relating to inquiry as to insanity after a judgment of death sentence; see also Secs. 353-358 of Criminal Procedure (L. C. Z. 228), relating to inquiry into the insanity of the defendant before trial or after conviction.

²⁷⁴ Executive Order of Feb. 27, 1908, p. 79, fixes per capita charge of 75 cents gold per day. See circular No. 618-16, relating to treatment in hospitals.

²⁷⁵ See 625 series of Governor's Circulars.

Order of the President, May 11, 1911, making it a misdemeanor to evade payment of fare on railroad trains in the Canal Zone.

By virtue of the authority in me vested, I hereby establish the following Order for the Canal Zone:

SECTION I. Any person who shall board any passenger, freight or other railway train in the Canal Zone, whether moving or standing, for any purpose and without in good faith intending to become a passenger thereon, and with no lawful business thereon, and with intent to obtain a free ride on such train, however short the distance, without the consent of the person or persons in charge thereof, shall be guilty of a misdemeanor, and shall be punished by fine of not less than five dollars nor more than twenty dollars.²⁷⁵

SEC. II. This Order shall take effect thirty days from this date.

WM. H. TAFT.

THE WHITE HOUSE, May 11, 1911.

TO PROVIDE FOR THE COLLECTION OF A DISTILLATION TAX.²⁷⁶

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

SECTION I. On and after the date on which this order shall take effect, there shall be collected the sum of ten cents on each and every litre or fraction thereof of distilled spirits produced in the Canal Zone from grain, starch, sugar, molasses or any other substance by distillation, or any other alcoholic liquors produced by distillation, for sale or consumption.

SECTION II. Manufacturers or distillers of any of the spirits or alcoholic liquors mentioned in the preceding section shall make application in writing to the Collector of Revenues of the Canal Zone, upon a form prescribed by him, for license to engage in business as such manufacturers or distillers. No application shall be granted by the Collector of Revenues unless the applicant secures the payment of the taxes that may accrue under the provisions of this law by executing a bond with two or more good and sufficient sureties to the satisfaction of the Collector of Revenues, conditioned upon the applicant's faithful compliance with this order and the regulations issued thereunder, and that he will pay all taxes that may be assessed against him under this order; or in lieu of said bond the Collector of Revenues, in his discretion, may require a money deposit from such applicant to secure the payment of such taxes. The said bond or deposit, as the case may be, to be subject to such rules and regulations in conformity herewith as the Isthmian Canal Commission may from time to time establish.

SECTION III. The tax herein provided for shall be computed upon a meter measurement of the output of each still made through a meter of standard make,²⁷⁷ which shall be attached to the still under the supervision of the Collector of Revenues, or his Deputy, and in a manner satisfactory to said officer, and at the expense of the owner or operator of said still; and the Collector of Revenues shall withhold the license for the operation of said still until the said meter has been attached thereto in the manner herein provided for.

SECTION IV. The licensed manufacturer or distiller under this law shall be permitted to sell or otherwise dispose of the output of his still, at his place of manufacture or production, in quantities of not less than five gallons without the payment of any further license tax than that prescribed by this order.

SECTION V. Any person manufacturing or distilling any of the spirits or alcoholic liquors herein enumerated before obtaining a license to do so from the Collector of Revenues, or before installing the meter herein prescribed, or who shall tamper with any still or meter or connection thereof with intent to defraud the Revenues of the Canal Zone, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding One Thousand Dollars (\$1,000) or by imprisonment in the District Jail for a term not exceeding twelve (12) months, or by both such fine and imprisonment, within the discretion of the court.

²⁷⁵ See also ordinance of the Isthmian Canal Commission of July 18, 1912 (L. C. Z. 290), prohibiting unlawful riding of labor train, jumping on or off moving train, and riding on platform or roof of moving train.

²⁷⁶ See ordinance of Apr. 27, 1907, and amendments (L. C. Z. 257) relating to sale of intoxicating liquors in the Canal Zone.

²⁷⁷ Executive Order of May 21, 1912, p. 130, provides for other method of measuring if Chairman is of opinion that meter is not satisfactory. The same order provides for discontinuance of all stills as of Jan. 1, 1913. See also National Prohibition Act (T. & A. 220).

SECTION VI. The Isthmian Canal Commission may from time to time establish such rules and regulations as may seem necessary to execute the provisions of this order.²⁷⁸

SECTION VII. All laws, orders or decrees in conflict with the provisions of this order are hereby repealed.

SECTION VIII. This order will be effective thirty days from this date.²⁷⁹

WM. H. TAFT

THE WHITE HOUSE, *May 13, 1911.*

Order of the President, June 12, 1911, amending order providing for collection of distillation tax.

By virtue of the authority vested in me, the order of May 13, 1911,²⁸⁰ providing for the collection of a distillation tax in the Canal Zone, is hereby amended so as to be effective August 13, 1911.

WM. H. TAFT.

THE WHITE HOUSE, *June 12, 1911.*

Order of the President, June 28, 1911, authorizing Chairman and Chief Engineer to execute revocable licenses for lots in town sites in Canal Zone.

By virtue of the authority vested in me, the Chairman and Chief Engineer of the Isthmian Canal Commission is hereby authorized to execute revocable licenses for lots in town sites in the Canal Zone, either directly or through such agency as he may direct, such licenses to be revocable at the pleasure of the Chairman and Chief Engineer or such other executive officer as may be in charge in the Canal Zone, licensees to vacate and remove improvements at once without indemnity.²⁸¹

WM. H. TAFT.

THE WHITE HOUSE, *June 28, 1911.*

Providing for the inspection of steam vessels.²⁸²

By virtue of the authority vested in me, I hereby establish the following Order in the Canal Zone:

SEC. 1: Every vessel propelled in whole or in part by machinery shall be deemed a steam vessel within the meaning of this order.

SEC. 2. All steam vessels navigating the waters of the Canal Zone, except public vessels of the United States or other countries, shall be subject to the provisions of this order.

SEC. 3. The Board of Local Inspectors of the Canal Zone shall cause the hull of each steam vessel navigating the waters of the Canal Zone to be carefully inspected at least once every year, and shall satisfy themselves that every such vessel so inspected is of a structure suitable for the service in which she is to be employed, and has suitable accommodations for passengers and crew, and is in a condition to warrant the belief that she may be used in navigation with safety to life, and that all the requirements of the law in regard to fire, boats, pumps, hose, life-preservers, floats, signals, and other things are faithfully complied with, and if they deem it expedient they may cause the vessel to be put in motion and may adopt any other suitable means to test her efficiency and that of her equipment.

SEC. 4. Whenever the Board of Local Inspectors shall find on board any vessel subject to the provisions of this order any equipment, machinery, apparatus, or appliance which does not conform to the requirements of the law, the Board shall

²⁷⁸ Provided by resolution of the Commission of Aug. 5, 1911 (L. C. Z. 289).

²⁷⁹ Made effective Aug. 13, 1911, by Executive Order of June 12, 1911, p. 113.

²⁸⁰ p. 112.

²⁸¹ See notes under Executive Order of Jan. 19, 1911, p. 103, creating a land office.

²⁸² Sec. 24 hereof authorized the Canal Commission to establish rules and regulations not inconsistent herewith for the better enforcement of this order. Under date of May 1, 1914, the Governor issued circular No. 644, most of the provisions of which have relation to the subject of inspection of steam vessels.

See also Executive Order of Oct. 2, 1909, p. 92, providing for Board of Local Inspectors, and Executive Order of July 9, 1914 (p. 178), providing rules and regulations for the operation and navigation of the Panama Canal. Other references in this connection are: Executive Order of the Governor of Canal Zone of Dec. 8, 1905, relating to harbor masters and pilots; Ordinance of Isthmian Canal Commission of Dec. 16, 1912 (L. C. Z. 292) providing for licensing of navigators of motor boats.

require the same to be placed in proper condition by the owner or master of the vessel, and if the said Board shall find in any such vessel any life-preserver or fire hose so defective as to be incapable of repair, the Board shall require the same to be destroyed in the presence of some person appointed by the Board to represent it.

SEC. 5. The Board of Local Inspectors shall cause the boilers and all appurtenances of all steam vessels ²⁸³ to be carefully inspected before the same shall be used, and at least once every year thereafter, and shall subject all boilers to the hydrostatic test in the ratio of 150 lbs. to the square inch to 100 lbs. to the square inch of the working steam power allowed. All such vessels shall comply with the following requirements, viz.—

That the boilers are well made, of good and suitable material, design suitable for the service in which employed, and to be equipt with the proper safety appliances, and of such construction, shape, condition, arrangement and material that they may be safely employed in the service proposed without peril to life; and the Board of Local Inspectors shall cause an examination to be made to satisfy itself that the requirements of these regulations have been complied with.

SEC. 6. When the inspection of a steam vessel is completed and the Board of Local Inspectors approve the vessel and her equipment, the Chairman of the Board shall make and subscribe a certificate to the Collector of Revenues in accordance with the form to be prescribed by the Board. Every certificate granted to steamers carrying passengers shall state the number of passengers of each class that any such steamer has accommodations for and can carry with prudence and safety.

If the Board of Local Inspectors refuse to grant a certificate of approval, the Chairman thereof shall make a statement in writing and give his reasons for such disapproval, and shall sign the statement as such Chairman and file the same in the records of the Board, giving a copy thereof to the owner or master of the vessel.

SEC. 7. All foreign private steam vessels carrying passengers to or from any port or place within the limits of the Canal Zone shall be subject to the provisions of this order, PROVIDED that if any foreign passenger steamer of a country which has inspection laws approximating those of the United States has an unexpired certificate of inspection duly issued by the authorities of the country to which the vessel belongs, the said vessel shall not be subjected to an inspection other than that necessary to satisfy the Board of Local Inspectors that the condition of the vessel, her boilers and life saving equipment are as stated in her certificate of inspection; but no such certificate of inspection shall be accepted as evidence of lawful inspection unless like privileges are granted to steam vessels of the United States under the laws of the country to which such vessel belongs.

SEC. 8. Private steam vessels duly registered in the United States having unexpired certificates of inspection issued by the proper authorities in the United States shall not be subject to inspection hereunder.

SEC. 9. The Collector of Revenues shall retain on file all original certificates of inspection required to be delivered to him by the Board of Local Inspectors, and shall give to the master or owner of the vessel therein named three certified copies thereof, two of which shall be placed by such master or owner in conspicuous places in the vessel where they will be most likely to be observed by the passengers and others, and there kept at all times framed under glass; and the other shall be retained by such master or owner as evidence of the authority thereby conferred.

SEC. 10. Before issuing an inspection certificate to any vessel, the Collector of Revenues shall demand and receive from the owner or master of such vessel as compensation for inspection and examination made for the year, the following sums, in addition to the fees for issuing enrollments and licenses now allowed by law:

For each steam vessel of 100 tons or under.....	\$10.00
For each and every ton in excess of 100 tons.....	5c

The fees herein provided for shall cover the cost of the certificate, as well as the inspection and examination of the vessel, which fees shall be for the use and benefit of the Canal Zone Treasury.²⁸⁴

SEC. 11. Whenever any passenger is received on board of any steam vessel not having the certified copies of the certificate of approval placed and kept as required by this Order, such vessel shall be liable to a fine of ONE HUNDRED DOLLARS for each passenger so received, to be recovered in the Circuit Court of the Circuit in which the vessel is to be found, and the money so recovered shall be a lien upon the vessel, which may be seized and sold to satisfy the same, as well as all costs of the proceeding.

²⁸³ Circular 674 provides rules and regulations for inspection of boilers except those on floating equipment.

²⁸⁴ Sec. 10, amended by Executive Order of Jan. 13, 1913 (E. O. 132). Further amendments to this section are effected by the 644 series of circulars of the Governor.

SEC. 12. No steamer carrying passengers shall depart from any port or place in the Canal Zone, unless it shall have in its service a full complement of licensed officers and a full crew, as in the judgment of the Board of Local Inspectors may be sufficient at all times to manage the vessel.

SEC. 13. Every steam vessel licensed under the provisions of this Order shall have on board in an accessible place one life-preserver for every person allowed to be carried, in addition to those provided for the crew of such vessel; and if a greater number of passengers than is stated in the certificate is taken on board of any vessel within the waters of the Canal Zone, the master or owner of such vessel shall be liable to any person suing for the same to refund the passage money and TEN DOLLARS for each passenger beyond the number allowed.

SEC. 14. If any passenger steamer engages in excursions within or from the waters of the Canal Zone, the Board of Local Inspectors shall issue to such steamer a special permit in writing for the occasion, in which shall be stated the additional number of passengers that may be carried and the number and kind of life saving appliances that may be provided for the safety of such additional passengers, and they shall also, in their discretion, limit the route and distance for such excursions.

SEC. 15. The master of every passenger steamer shall keep a correct list of all passengers received on board the vessel, which record shall be open to the inspection of the Inspectors and the officers of the Customs at all times, and the correct number of passengers shall be furnished to the Inspectors as often as called for.

SEC. 16. Every master of a passenger steamer who fails thru negligence or design to keep a list of passengers as required by the preceding section shall be liable to a fine of ONE HUNDRED DOLLARS, to be recovered in the Circuit Court of the Circuit in which the vessel is to be found.

SEC. 17. Every steam vessel carrying passengers shall be provided with two good double-acting fire pumps to be worked by hand; each chamber of such pumps shall be of sufficient capacity to contain not less than one hundred cubic inches of water and such pumps shall be placed in the most suitable part of such vessel for efficient service, having suitable well fitted hose to each pump at least one half the vessel in length and kept at all times in perfect order and shipped up and ready for use. On every steamer not exceeding two hundred tons, one such pump may be dispensed with. Each fire pump shall be supplied with water by a suitable pipe connection passing through the side of the vessel so low as to be under water at all times, and no fire pump thus provided shall be placed below the lower deck of the vessel. Every steamer shall also be provided with a pump which shall be of sufficient strength and suitably arranged to test the boilers thereof.

SEC. 18. Every vessel coming within the provisions of this order shall be provided with such number of life-boats, floats, rafts, life-preservers, line carrying projectiles and best means of propelling them, and drags, as in the judgment of the Board of Local Inspectors will best procure the safety of all persons on board such vessels in case of disaster. And every such vessel shall have the life boats required by this order provided with suitable boat disengaging apparatus, so arranged as to allow such boats to be safely launched while such vessels are under speed or otherwise so as to allow such disengaging apparatus to be operated by one person, disengaging both ends of the boat simultaneously from the tackle by which it may be lowered to the water; and the Board of Local Inspectors shall determine the kind of life-boats, floats, rafts, life-preservers, line carrying projectiles and means of propelling the same, and drags which are to be used on the vessel, and also the kind and capacity of the pumps for freeing the vessel from water in case of heavy leakage, the capacity of such pumps being suited to the navigation in which the vessel is employed.²⁸⁵

SEC. 19. The owner or master of any such vessel who refuses to provide such life-boats, floats, rafts, life-preservers, line carrying projectiles and means of propelling them, drags, pumps or appliances which, under the provisions of the preceding sections are required by the Board of Local Inspectors, shall be fined ONE THOUSAND DOLLARS, and the same may be enforced against the owner of the vessel personally or as a lien upon the vessel, which may be seized and sold to satisfy such fine and costs of court.

SEC. 20. The Board of Local Inspectors shall have the power to enforce the requirements of this Order,—first, by not granting a certificate,—second, by revoking the certificate already issued to the vessel.

The owner or master of the vessel may appeal from the action of the Board of Local Inspectors to the Head of the Department of Civil Administration at any time within

²⁸⁵ Sec. 18, amended by the Executive Order of Jan. 13, 1913, p. 132. Further amendments to this section are effected by the 644 series of circulars of the Governor.

ten days after the final action of the Board; and the Head of the Department of Civil Administration may modify or set aside the action of the Local Board, and he shall certify his ruling to the Board for observance in each case.

SEC. 21. Whenever a steamer engaged in carrying passengers to or from the Canal Zone enters the waters of the Canal Zone, it shall be the duty of the Captain of the Port to notify the master or agent of such vessel that the same is subject to the Inspection Laws of the Canal Zone; and after being so notified, it shall be the duty of the said agent or master to make a written request to the Board of Local Inspectors for the inspection of the vessel and her equipment in accordance with the provisions of this Order. Any agent or master of a vessel who fails or refuses to make the written request as herein provided for after receiving the notice above mentioned from the Captain of the Port, shall be liable to a fine of FIFTY DOLLARS upon his conviction in the Circuit Court of the Circuit in which said agent or master is to be found.

SEC. 22. Any violation of any of the provisions of this Order, for which a specific punishment is not prescribed herein, shall subject the owner or master of the offending vessel to a fine not exceeding ONE THOUSAND DOLLARS, or by imprisonment in jail not exceeding six months, or both such fine and imprisonment in the discretion of the Court.

SEC. 23. The fines and penalties imposed under this Order shall constitute a lien on the vessel in each case, and upon judgment for any such fine or penalty execution may issue therefor, as in civil cases, against such vessel, and same shall be sold to satisfy such execution; and the court may order the provisional detention of such vessel to abide the judgment of the court; but a bond, to be approved by the judge of the court, may be given to secure the payment of any judgment that may be rendered, and the vessel shall be released thereon.

SEC. 24. The Canal Commission may establish rules and regulations not inconsistent herewith for the better enforcement of this Order.²⁸⁶

SEC. 25. This Order shall take effect ninety days after the same shall have been published in the Canal Record.²⁸⁷

WM H TAFT

THE WHITE HOUSE,
July 21, 1911.

[No. 1386.]

AGAINST THE PROMOTION OF FIGHTS BETWEEN BULLS, DOGS, OR COCKS.²⁸⁸

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

SECTION 1. Any person who sets on foot, instigates, promotes or carries on any fights between cocks or other birds, or any dog fight, or bull fight, or fight between other animals; or who does any act as assistant, umpire or principal in furtherance of any fight between any such animals, shall be punished by a fine not to exceed FIFTY DOLLARS, or by imprisonment not to exceed THIRTY DAYS, or by both such fine and imprisonment, in the discretion of the court.

SECTION 2. This order shall take effect thirty days from this date.

WM H TAFT.

THE WHITE HOUSE,
August 4, 1911.

[No. 1392.]

Order of the Secretary of War, Sept. 1, 1911, appointing Prof. Emory R. Johnson Special Commissioner on Panama Canal traffic and tolls.

By order of the President, Professor Emory R. Johnson is hereby appointed a Special Commissioner for the purpose of bringing up to as late a date as practicable the data contained in the Report of the Isthmian Canal Commission for 1899-1901 relative to the industrial and commercial value of the Isthmian Canal, and also to formulate rules and regulations governing the measurement of ships going through

²⁸⁶ Governor's Circular No. 644 is a compilation of rules and regulations, most of which are relative to steamboat inspection. See also other circulars in the 644 series.

²⁸⁷ Published in the *Canal Record* of Aug. 16, 1911.

²⁸⁸ See Executive Order of Oct. 2, 1909, p. 92, amending sec. 423 of Penal Code, relating to cruelty to animals. See also secs. 288-289 of Penal Code (L. C. Z. 137), relating to fights between two or more persons, prize fights, etc.

the Canal and to make an investigation and recommendation regarding the tolls to be charged. Until his report²⁸⁹ is forthcoming Professor Johnson will be allowed his actual expenses and fifteen dollars a day including Sundays and holidays. Upon the completion of Professor Johnson's work the Secretary of War will finally fix his entire compensation.

HENRY L. STIMSON,
Secretary of War.

WAR DEPARTMENT,
September 1, 1911.

ESTABLISHING THE POSTAL SAVINGS SYSTEM IN THE CANAL ZONE.

By virtue of the authority vested in me, I hereby establish the following Order for the Canal Zone:

Section 1. There is hereby established in the post-offices²⁹⁰ of the Canal Zone a postal savings system,²⁹¹ to be operated without the payment of interest on the deposits under such rules and regulations as may be now or hereafter adopted.

Section 2. There is hereby created a Board of Trustees for the control, supervision, and administration of the postal savings depository offices designated and established under the provisions of this Order, and of the funds received as deposits at such postal savings depository offices by virtue thereof. Said board shall consist of the Collector of Revenues of the Canal Zone, the Auditor of the Canal Zone Government, and the Treasurer of the Canal Zone, severally, acting *ex officio*, and shall have power to make all necessary and proper regulations for the receipt, transmittal, custody, deposit, investment, and repayment of the funds deposited at postal savings depository offices; the regulations above mentioned to be subject to the approval of the Chairman of the Isthmian Canal Commission.

Section 3. Said Board of Trustees is hereby authorized and empowered to designate such post-offices as it may select to be postal savings depository offices, and each and every post-office so designated by order of said Board is hereby declared to be a postal savings depository office within the meaning of this Order and to be authorized and required to receive deposits of funds from the public and to account for and dispose of the same, according to the provisions of this Order and the regulations made in pursuance thereof. Each postal savings depository office shall be kept open for the transaction of business during such hours as the Collector of Revenues shall direct.

Section 4. That accounts may be opened and deposits made in any postal savings depository established under this Order by any person of the age of ten years or over, in his or her own name, and by a married woman in her own name and free from any control or interference by her husband; but no person shall at the same time have more than one postal savings account in his or her own right.

Section 5. At least one dollar, or a larger amount in multiples thereof, must be deposited before an account is opened with a person depositing the same; and one dollar, or multiples thereof, may be deposited after such account has been opened. Postal savings deposits will be evidenced by postal savings certificates issued in fixed denominations of \$1, \$2, \$5, \$10, \$20, \$50, \$100, each bearing the name of the depositor, the number of his account, the date of issue, and the name of the depository office.

Section 6. Any depositor may withdraw the whole or any part of the funds deposited to his or her credit upon demand, and under such regulations as the Board of Trustees may prescribe.

Section 7. Postal savings funds received under the provisions of this Order shall be deposited with the Treasurer of the Canal Zone under such regulations as the Board of Trustees may prescribe.

Section 8. Postal savings depository funds shall be kept separate from other funds by postmasters and other officers and employees of the postal service, who shall be held to the same accountability under their bonds for such funds as for public moneys; and no person connected with the Post-Office Department shall disclose to any person other than the depositor the amount of any deposits, unless directed so to do by the Collector of Revenues.

²⁸⁹ Report in one volume on the subject of measurements submitted to the Secretary of War on Oct. 2, 1913. Report on traffic and tolls submitted to Secretary of War in separate volume on Aug. 7, 1913.

²⁹⁰ Temporary postal service established in Canal Zone by Executive Order of June 24, 1904, p. 27. Permanent postal service created by act No. 8 of Commission (L. C. Z. 61).

²⁹¹ This order repealed by Executive Order of Sept. 5, 1914, p. 199, which, however, provided for a money-order savings deposit without fee.

Section 9. That the final judgment, order, or decree of any court of competent jurisdiction adjudicating any right or interest in the credit of any sum deposited by any person with the postal savings depository, if the same shall not have been appealed from, and the time for appeal have expired, upon submission to the Collector of Revenues of a copy of the same, duly authenticated in the manner provided by the laws of the United States for the authentication of the records and judicial proceedings of the courts of any state or territory, or of any possession subject to the jurisdiction of the United States, when the same are proved or admitted within any other court within the United States, shall be accepted by the Board of Trustees as conclusive of the title, right, interest, or possession so adjudicated; and any payment of said sum in accordance with such order, judgment, or decree shall operate as a full and complete discharge of the United States and the Canal Zone Government from the claim or demand of any person or persons to the same.

Section 10. This Order shall take effect and be in force sixty days from and after this date.

WM H TAFT

THE WHITE HOUSE,
September 8, 1911.

[No. 1409]

TO PROHIBIT THE PLACING OF SIGNS ON LANDS AND PROPERTY OF THE UNITED STATES
AND THE PANAMA RAILROAD COMPANY.²⁹²

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone.

SECTION 1. It shall be unlawful for any person to construct or place any sign, bill, poster or other advertising device on any land, building or other structure owned or controlled by the United States or the Panama Railroad Company in the Canal Zone; and any person thus offending shall be punished by a fine of not less than FIVE DOLLARS nor more than TWENTY-FIVE DOLLARS, or by imprisonment in jail not to exceed THIRTY DAYS, or by both such fine and imprisonment in the discretion of the Court; and every day that such sign, bill, poster or other advertising device shall remain upon such lands or structures shall be deemed a separate offense. PROVIDED, however, that this Order shall not be construed to prevent persons from advertising, by means of any such advertising devices the business that they may be conducting according to law in any building or other structure upon which such advertising device is constructed or placed.

SECTION 2. This Order shall take effect SIXTY DAYS from and after this date.

WM H TAFT

THE WHITE HOUSE,
September 8, 1911.

[No. 1410.]

Order of the President, Sept. 14, 1911, making it a misdemeanor to unlawfully remove packing from journal boxes of locomotives, coaches, etc.

By virtue of the authority vested in me I hereby establish the following Order for the Canal Zone.

SEC. 1. Any person who shall without lawful authority take or remove the packing or waste from out of any journal box or boxes of any locomotive engine, tender, coach, caboose or truck, used or operated on any railroad, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding One Hundred Dollars, or imprisonment in jail not exceeding thirty days, or both fine and imprisonment, in the discretion of the court.

SEC. 2. This order shall take effect sixty days from and after this date.²⁹³

WM H TAFT

THE WHITE HOUSE,
September 14, 1911.

[No. 1412.]

²⁹² See generally Secs. 421-441 of Penal Code (L. C. Z. 163), specifying certain acts of malicious mischief. See also Executive Order of Apr. 17, 1912, prohibiting removal of signs from posted reservations.

²⁹³ See Chap. XIII of Penal Code, specifying certain acts of malicious injury to railroads.

Order of the President, Sept. 21, 1911, appointing William H. Jackson Associate Justice of the Supreme Court of the Canal Zone.

Under authority vested in me by law, and until otherwise provided by law or ordered, William H. Jackson is appointed an Associate Justice of the Supreme Court of the Canal Zone at a salary of six thousand dollars per annum, effective the day he enters on the duties of the office.

WM. H. TAFT.

THE WHITE HOUSE,
September 21, 1911.

[No. 1413.]

TO AMEND SECTIONS 51, 62, AND 526, AND TO REPEAL SECTIONS 63 AND 529 OF THE CODE OF CIVIL PROCEDURE OF THE CANAL ZONE.

By virtue of the authority vested in me, I hereby establish the following Order for the Canal Zone:

ARTICLE I: Section 51²⁹⁴ of the Code of Civil Procedure of the Canal Zone is hereby amended to read as follows:

Section 51: Pleadings in the District Courts shall be oral, except when they are required by law to be verified by the oath of either of the parties to the suit, in which case the pleadings shall be in writing.

ARTICLE II: Section 62²⁹⁵ of the above-mentioned Code is hereby amended so as to read as follows:

Section 62: Every District Judge shall keep a well bound book styled "Docket", in which he shall enter the name and style of every civil suit brought before him; the dates of issuing process therein and of the return thereof; a brief statement of the nature of the suit and of any plea made thereto by the defendant, and if no appearance is made, the defendant's default shall be noted; the names of the witnesses sworn; the date and the amount of the judgment; the date of issuing execution or other process upon the judgment, and a copy of the returns thereon; the appeal, when and by whom demanded; and briefly all the proceedings before him touching the suit.

Each District Judge, at the beginning of his docket and before any entries are made therein shall make and subscribe the following certificate, substantially, to-wit:—

"A docket of proceedings in civil matters before
District Judge of the Administrative District of
Canal Zone.

Witness my signature.

.....
District Judge."

ARTICLE III: Section 526²⁹⁶ of the above mentioned Code is hereby amended so as to read as follows:

Section 526: Costs shall ordinarily be allowed to the prevailing party as a matter of course, but the court shall have power for special reasons to adjudge that either party shall pay the costs of an action, or that the same be divided as may be equitable; and the court may, for sufficient cause, order that no costs be taxed against either party to any suit or special proceedings.²⁹⁷

ARTICLE IV: Sections 63²⁹⁸ and 529²⁹⁹ of the Code of Civil Procedure are hereby repealed.

ARTICLE V: This Order shall take effect 90 days from and after this date.

WM. H. TAFT.

THE WHITE HOUSE,
Sept. 26, 1911.

[No. 1414.]

²⁹⁴ p. 13, Code of Civil Procedure.

²⁹⁵ Ibid., pp. 15-16.

²⁹⁶ Ibid., 118.

²⁹⁷ See also Executive Order of Jan. 9, 1920, p. 263, relating to costs in civil cases (which repealed order of Aug. 14, 1914, p. 196, on same subject. See also order of Dec. 30, 1921, p. 293).

²⁹⁸ p. 16, Code of Civil Procedure.

²⁹⁹ Ibid., 118.

AMENDING SECTION 10 OF ACT NO. 9, ENTITLED "AN ACT TO PROVIDE SANITARY RULES AND REGULATIONS FOR THE CANAL ZONE, ISTHMUS OF PANAMA, AND FOR THE ENFORCEMENT THEREOF", ENACTED SEPTEMBER 2, 1904.

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

ARTICLE 1. Section 10 of Act No. 9,³⁰⁰ entitled "An act to provide sanitary rules and regulations for the Canal Zone, Isthmus of Panama, and for the enforcement thereof, enacted September 2, 1904, is hereby amended so as to read as follows:

Section 10. Every physician, druggist, school teacher, clergyman, midwife, nurse, head of a family, or other person in attendance on or in charge of any one sick or injured, having knowledge of the existence in any district of the Canal Zone of any of the diseases hereinafter named, shall immediately report the same to the District Physician or District Sanitary Inspector. The diseases required to be so reported are:

measles,
rubella (rotheln),
scarlet fever,
typhus fever,
relapsing fever,
typhoid fever,
malarial fever,
yellow fever,
Asiatic cholera,
plague,
tetanus,
anthrax,

small-pox,
chicken-pox (varicella),
diphtheria (croup),
tuberculosis (of any organ),
glanders,
epidemic cerebrospinal meningitis,
leprosy,
infectious diseases of the eye,
puerperal septicaemia,
erysipelas,
whooping cough,
dysentery.

Any person who fails to make due report, as required by this order, of any of the above enumerated diseases shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$25.00, or by imprisonment in jail not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court.³⁰¹

ARTICLE 2. This order shall take effect sixty (60) days from and after this date.

THE WHITE HOUSE,
Oct. 14, 1911.

WM H TAFT

[No. 1419.]

TO PROHIBIT THE PRACTICE OF MEDICINE, SURGERY, DENTISTRY, PHARMACY, OR MIDWIFERY WITHOUT A LICENSE.

By virtue of the authority vested in me I hereby establish the following order for the Canal Zone:³⁰²

Section I. It shall be unlawful for any person to practice or attempt to practice medicine, surgery, dentistry, pharmacy or midwifery within the Canal Zone, without first having obtained a license therefor from the Board of Health of the Canal Zone. Any person thus offending shall be punished by a fine not exceeding Twenty-Five Dollars (\$25.00), or by imprisonment in jail not exceeding thirty (30) days, or by both such fine and imprisonment in the discretion of the court; *provided* that this order shall not apply to commissioned surgeons of the United States Army and Navy, or Marine Hospital Service, nor to Physicians, surgeons, dentists or pharmacists and their assistants and nurses employed by the Isthmian Canal Commission, nor to nurses acting under the orders of a licensed physician.

Section II. Any person shall be regarded as practising medicine within the meaning of this order who shall prescribe for, operate on, or in any wise attempt to heal, cure or alleviate, or who shall in any wise treat any disease or any physical or mental ailment of another; *provided* that nothing in this order shall be construed to prohibit gratuitous services in case of emergency, or to the administering of ordinary household remedies.

Section III. This order shall take effect sixty (60) days from and after this date.

THE WHITE HOUSE,
Oct. 14, 1911.

WM H TAFT

[No. 1420.]

³⁰⁰ L. C. Z. 78.

³⁰¹ See also Ordinance No. 1 of Board of Health of Feb. 27, 1915, supplementing above order, and published in pamphlet of laws relating to health matters.

³⁰² See amendatory Executive Order of Dec. 26, 1911, p. 123.

Order of the Secretary of War, Nov. 3, 1911, amending act No. 14, so as to provide no charge shall be made for hunting permits issued to enlisted men of the land and naval forces of the United States.

By authority of the President of the United States, it is ordered:

That Act No. 14 enacted by the Isthmian Canal Commission, by authority of the President under date of September 3, 1904, entitled "An Act to Establish a Penal Code for the Canal Zone, Isthmus of Panama," as amended by the Executive Order issued under the authority of the President by the Secretary of War, December 1, 1909,³⁰³ be, and the same is hereby, amended so that Section 456³⁰⁴ of said Penal Code as amended in said Executive Order, shall now read as follows:

"The license fees for permits issued by the Treasurer under the provisions of this Title shall be as follows: For every permit issued to carry a firearm abroad, five dollars (\$5); for every permit authorizing an overseer or watchman engaged by a private employer, ten dollars (\$10), for each watchman or overseer so authorized to carry a firearm; for each hunting permit, five dollars (\$5); provided that no charge shall be made for hunting permits issued to enlisted men of the land or naval forces of the United States stationed on the Isthmus of Panama. The treasurer shall keep a record of all licenses issued by him, with the name and residence of the persons to whom they are issued, and the date and serial number thereof."³⁰⁵

HENRY L. STIMSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C.

NOVEMBER 3, 1911.

Order of the President, Nov. 6, 1911, providing that the alumni of the National School of Engineering of Mexico may be employed under the several executive departments of the United States in order to observe certain public works.

Such alumni of the National School of Engineering of Mexico as may be designated by the Mexican Government to observe certain public works in the United States and Panama may be employed under the several executive departments of the United States in connection with the works to which they may be assigned.

This order is issued in accordance with the principles of international comity to permit the action desired by the Mexican Government. As the matter is one relating to international courtesy rather than to the interests of the executive civil service, the Civil Service Commission makes no recommendation, regarding the wisdom of the proposed waiver as a matter pertaining to the Departments concerned.

WM H TAFT

THE WHITE HOUSE,
November 6, 1911.

[No. 1430.]

TO PREVENT THE UNAUTHORIZED PURCHASE OF SUPPLIES AND EQUIPMENT FROM PERSONS IN THE ARMY OR NAVY.³⁰⁶

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

SECTION 1. Whoever shall knowingly purchase or receive in pledge for any obligation or indebtedness from any soldier, officer, sailor, or other person called into or employed in the military or naval service, any arms, equipment, ammunition, clothes, military stores, or other public property, whether furnished to the soldier, officer, sailor, or person under a clothing allowance or otherwise, such soldier, officer, sailor, or other person not having a lawful right to pledge or sell the same, shall be fined not more than FIVE HUNDRED DOLLARS and imprisoned in jail not more than TWO

³⁰³ p. 95.

³⁰⁴ L. C. Z. 169.

³⁰⁵ Repealed by Executive Order of Nov. 7, 1913, p. 152, which in turn was repealed by order of Mar. 6, 1920, p. 267.

³⁰⁶ See act of Congress of July 8, 1918 (T. & A. 201), providing for protection of the uniform of friendly nations.

YEARS; and the Circuit Court of the Circuit wherein such supplies or equipment may have been unlawfully purchased or received in pledge shall have jurisdiction of the offense.

SECTION 2. This Order shall take effect Sixty Days from and after its publication in the Canal Record.³⁰⁷

WM H TAFT

THE WHITE HOUSE,
November 15, 1911.

[No. 1433.]

TO AMEND SECTIONS 1 AND 2, OF ACT NO. 2, OF THE CANAL ZONE LAWS, RELATING TO NOTARIES PUBLIC, ENACTED AUGUST 17, 1904, AND FOR OTHER PURPOSES.

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone:

ARTICLE 1. Section 1, of Act No. 2, entitled "An act authorizing the appointment of Notaries Public, defining their duties, fixing their terms of office, prescribing their fees, and for other purposes," enacted August 17, 1904,³⁰⁸ is hereby amended so as to read as follows:

Section 1. The Head of the Department of Civil Administration is hereby authorized to appoint and commission such number of persons to the office of Notary Public as the public good requires, to hold for three years from the date of their appointment, with jurisdiction co-extensive with the limits of the Canal Zone, or throughout the Judicial Circuit in which the person appointed Notary Public resides, in the discretion of the Head of the Department of Civil Administration and to be stated by him in the certificate of appointment.

ARTICLE 2. Section 2 of the above described Act No. 2 is hereby amended so as to read as follows:

Section 2. The appointment of a Notary Public shall be in writing, signed by the Head of the Department of Civil Administration, and shall be substantially in the following form:

Canal Zone, Isthmus of Panama.

This is to certify that _____,

of the _____

_____ Judicial Circuit of the Canal Zone, has this day been appointed by me a Notary Public with jurisdiction co-extensive with the limits of the Canal Zone (or with jurisdiction throughout the said Judicial Circuit, as the case may be), for the term of three years from this date.

Witness my official signature at _____, Canal Zone, this _____ day of _____, A. D., 1911.

Head of the Department of Civil Administration.

ARTICLE 3. Any and all appointments of Notaries Public heretofore made under said Act No. 2 with jurisdiction throughout the Canal Zone are hereby ratified and confirmed, and all of the acts and doings of such Notaries done in the Canal Zone outside of their respective Judicial Circuits, if otherwise legal, are hereby validated.

This order shall not be construed to require the reappointment of the existing Notaries Public, but these shall continue in office to the end of their respective terms as though this order had not been established.³⁰⁹

ARTICLE 4. This act shall take effect from and after this date.

WM H TAFT

THE WHITE HOUSE,
November 18, 1911.

[No. 1435.]

³⁰⁷ Published in *The Canal Record* of Nov. 29, 1911.

³⁰⁸ L. C. Z. 20.

³⁰⁹ Sec. 7, Panama Canal Act (T. & A. 79), authorized the Governor to appoint all notaries public, prescribe their powers and duties, their official seal, and fees to be charged. See Governor's Circular No. 725 of July 15, 1920, establishing rules and regulations relative to notaries public in and for the Canal Zone.

TO AMEND EXECUTIVE ORDER PROHIBITING THE PRACTICE OF MEDICINE, SURGERY, DENTISTRY, PHARMACY, OR MIDWIFERY WITHIN THE CANAL ZONE WITHOUT A LICENSE.

By virtue of the authority vested in me I hereby establish the following order for the Canal Zone, amending the Executive Order promulgated on October 14, 1911,³¹⁰ to read as follows:

"Section I. It shall be unlawful for any person to practise or attempt to practise medicine, surgery, dentistry, pharmacy or midwifery³¹¹ within the Canal Zone without first having obtained a license therefor from the Board of Health of the Canal Zone. Any person thus offending shall be punished by a fine not exceeding Twenty-Five Dollars (\$25.00), or by imprisonment in jail not exceeding thirty (30) days, or by both such fine and imprisonment in the discretion of the court; *provided* that this order shall not apply to the commissioned surgeons of the United States Army and Navy, or Marine Hospital Service, nor to Physicians, surgeons, dentists or pharmacists and their assistants and nurses employed by the Isthmian Canal Commission, nor to nurses acting under the orders of a licensed physician.

Section II. Whoever, not having registered as aforesaid, shall advertise or hold himself out to the public as a physician or surgeon, by appending to his name the letters "M. D.," or using the title of doctor, meaning thereby a doctor of medicine, or shall pretend to a knowledge of medicine or surgery, shall be punished by a fine not exceeding Twenty Five Dollars (\$25.00), or by imprisonment not exceeding thirty (30) days, or by both in the discretion of the court.

Section III. Any person shall be regarded as practising medicine within the meaning of this order who shall prescribe for, operate on, or in any wise attempt to heal, cure or alleviate, or who shall in any wise treat any disease or any physical or mental ailment of another; *provided* that nothing in this order shall be construed to prohibit (a) The practise of the religious tenets of any church in the ministration of the sick or suffering by mental or spiritual means without the use of any drug or material remedy, whether gratuitously or for compensation, *provided* that such sanitary laws, orders, rules and regulations as now are, or hereafter may be, in force in said Canal Zone are complied with; or, (b) gratuitous services in case of emergency; or, (c) the administering of ordinary household remedies.

Section IV. This order shall take effect on January 1, 1912."

WM H TAFT

THE WHITE HOUSE,
December 26, 1911.

[No. 1448.]

Order of the President, Jan. 9, 1912, providing for the reinstatement in the classified service of Paul Brosig.

Mr. Paul Brosig may be reinstated in the classified service as a draftsman at \$1,800 per annum for duty with the Fortification Division of the Isthmian Canal Commission. Mr. Brosig had seventeen years of service as a draftsman in the Engineer Department at Large, leaving the service in 1905 as a result of illness from which he has entirely recovered. He is regarded as one of the best qualified fortification draftsmen in the United States and is now serving under temporary appointment as a draftsman in connection with the plans for fortification on the Isthmus of Panama, since July 5, 1911. The officer in charge of fortification plans states that unless the services of Mr. Brosig may be continued it will seriously retard and delay the preparation of the plans and the Secretary of War expresses the opinion that the reinstatement of Mr. Brosig is required in the interests of the service. In view of these facts the Civil Service Commission joins with the Secretary of War in recommending the reinstatement of Mr. Brosig.

WM H TAFT

THE WHITE HOUSE,
January 9, 1912.

[No. 1457.]

³¹⁰ p. 120.

³¹¹ See Ordinance No. 3 of the Board of Health of Feb. 27, 1915, relating to the practice of midwifery, published in pamphlet of laws relating to health matters.

Order of the President, Jan. 12, 1912, providing for taking a census of the Canal Zone.

By authority vested in me by law, I establish the following order for the Canal Zone:

SEC. 1. A census of the Canal Zone, Isthmus of Panama, shall be taken by the Department of Civil Administration of the Isthmian Canal Commission not later than April 30, 1912, under such rules and regulations in conformity with this Order as may be prescribed by the Head of Department of Civil Administration with the approval of the Chairman of the Isthmian Canal Commission.

SEC. 2. The census shall embrace inquiries relating to population,³¹² and shall include for each inhabitant the name, location, sex, color, age, conjugal condition, place of birth, citizenship, length of residence in Canal Zone, occupation, whether or not an employe, and if an employe of the Isthmian Canal Commission, the Panama Railroad Company, the United States Government, or of any arm or branch thereof, this fact to be shown, together with metal check number if an employe of the Isthmian Canal Commission or the Panama Railroad Company, school attendance, literacy, the language spoken, whether blind, deaf and dumb, insane, or imbecile, and any other information which, under the rules and regulations referred to in Sec. 1, may be required.

SEC. 3. It shall be the duty of each enumerator to visit personally each dwelling house in his subdivision, and each family therein, and each individual living out of a family in any place of abode, and by inquiry made of the head of each family, or of the member thereof deemed most competent and trustworthy, or of such individual living out of a family, to obtain each and every item of information and all particulars required by this Order; and in case no person shall be found at the usual place of abode of such family, or individual living out of a family, competent to answer the inquiries made in compliance with the requirements of this Order, then it shall be lawful for the enumerator to obtain the required information as nearly as may be practicable from families or persons living in the neighborhood of such place or abode. It shall be the duty also of each enumerator to forward the original schedules, properly filled out and duly certified, to the supervisor or other chief census officer of his district as his returns under the provisions of this Order; and in the event of discrepancies or deficiencies being discovered in these schedules he shall use all diligence in correcting or supplying the same.

SEC. 4. The compensation of enumerators and other persons engaged in taking the census shall be fixed by the Head of Department of Civil Administration, subject to the approval of the Chairman of the Isthmian Canal Commission.

SEC. 5. Every supervisor, supervisor's clerk, enumerator, interpreter, special agent, or other employe shall take and subscribe to an oath or affirmation to faithfully execute the duties imposed by his employment.

SEC. 6. Any supervisor, supervisor's clerk, enumerator, interpreter, special agent, or other employe, who, having taken and subscribed to the oath of office required by this Order, shall, without justifiable cause, neglect or refuse to perform the duties enjoined on him by this Order, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding five hundred dollars; or if he shall, without the authority of the officer in charge of the census, publish or communicate any information coming into his possession by reason of his employment under the provisions of this Order, he shall be guilty of a misdemeanor and shall upon conviction thereof be fined not to exceed one thousand dollars, or be imprisoned not to exceed two years, or both so fined and imprisoned, in the discretion of the court; or if he shall wilfully and knowingly swear to or affirm falsely, he shall be deemed guilty of perjury, and upon conviction thereof shall be imprisoned not exceeding five years and be fined not exceeding two thousand dollars; or if he shall wilfully and knowingly make a false certificate or a fictitious return, he shall be guilty of a misdemeanor, and upon conviction of either of the last-named offenses he shall be fined not exceeding two thousand dollars and be imprisoned not exceeding five years; or if any person who is or has been an enumerator shall knowingly or wilfully furnish, or cause to be furnished, directly or indirectly, to the officer in charge of the census, or to any supervisor of the census, any false statement or false information with reference to any inquiry for which he was authorized and required to collect information, he shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding two thousand dollars and be imprisoned not exceeding five years.

SEC. 7. It shall be the duty of all persons over twenty-one years of age when requested by the officer in charge of the census, or by any supervisor, or enumerator acting under the instructions of the said officer in charge of the census, to answer

³¹² The population of the Canal Zone as taken Feb. 1, 1912, was found to be 61,279. See notes under act of Mar. 3, 1919 (T. & A. 210), relating to census of 1920.

correctly, to the best of their knowledge, all questions on the census schedules applying to themselves and to the family to which they belong or are related, and any person over twenty-one years of age who, under the conditions hereinbefore stated, shall refuse or wilfully neglect to answer any of these questions, or shall wilfully give answers that are false, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding one hundred dollars.

And it shall be the duty of every owner, proprietor, manager, superintendent, or agent of a hotel, apartment house, boarding or lodging house, tenement, or other building, when requested by the officer in charge of the census, or by any supervisor, or enumerator, acting under the instructions of the said officer in charge of the census, to furnish the names of the occupants of said hotel, apartment house, boarding or lodging house, tenement, or other building, and to give thereto free ingress and egress to any duly accredited supervisor or enumerator, so as to permit of the collection of statistics for census purposes, including the proper and correct enumeration of all persons having their usual place of abode in said hotel, apartment house, boarding or lodging house, tenement, or other building; and any owner, proprietor, manager, superintendent, or agent of a hotel, apartment house, boarding or lodging house, tenement, or other building who shall refuse or wilfully neglect to give such information or assistance under the conditions hereinbefore stated shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding five hundred dollars.

Sec. 8. The circuit courts of the respective circuits shall have jurisdiction of the offenses herein enumerated.

Sec. 9. This Order shall take effect on this date.

WM H TAFT

THE WHITE HOUSE,
January 12, 1912.

[No. 1463.]

Order of the President, Jan. 24, 1912, authorizing reinstatement of Pembroke B. Banton.

Mr. Pembroke B. Banton may be reinstated as a clerk at \$900 per annum in the service of the Isthmian Canal Commission when he shall have demonstrated his fitness by passing an examination deemed appropriate by the Civil Service Commission; and he may be subsequently transferred to any position for which he is qualified and for the performance of whose duties he is not incapacitated by physical disability.

Mr. Banton on April 17, 1906, had his back broken in the service and line of duty as a yardmaster in the Isthmian Canal Service.³³³ In view of the facts the Civil Service Commission recommends his reinstatement by Executive order at the request of the Isthmian Canal Commission.

WM H TAFT

THE WHITE HOUSE,
January 24, 1912.

[No. 1466.]

[Panama-Pacific International Exposition.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Whereas, in conformity with the conditions and requirements of the Joint Resolution of Congress approved February 15, 1911, "Authorizing the President to invite foreign countries to participate in the Panama-Pacific International Exposition in nineteen hundred and fifteen, at San Francisco, California," satisfactory proof has been presented to me that a suitable site has been selected for the said Exposition and that the sum of not less than fifteen million dollars will be available to enable the Panama-Pacific International Exposition Company, a corporation organized and existing under and by virtue of the laws of the State of California, for the purpose of inaugurating, carrying forward, and holding an exposition at the City of San Francisco, California, in the year nineteen hundred and fifteen, to celebrate the completion and opening of the Panama Canal;

³³³ Act of Congress of May 27, 1908 (T. & A. 47), provided \$10,000 as compensation for injuries.

Now, Therefore, I, WILLIAM HOWARD TAFT, President of the United States of America, by virtue of the authority vested in me by said Joint Resolution, do hereby declare and proclaim that such International Exposition will be opened in the year nineteen hundred and fifteen, in the City of San Francisco, in the State of California. And, in the name of the Government and of the people of the United States of America, I do hereby invite all the nations of the earth to take part in the commemoration of an event of great interest and importance to the world by appointing representatives to the Panama-Pacific International Exposition and sending thereto such exhibits as will most fitly and fully illustrate their resources, their industries, and their progress in civilization.

In Testimony Whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this second day of February, in the year of our Lord nineteen hundred and twelve, and of the Independence of the United States of America the one hundred and thirty-sixth.

By the President:
P. C. KNOX,
Secretary of State.

WM H TAFT,

[No. 1178.]

TO PROVIDE AN INEXPENSIVE METHOD FOR THE ADMINISTRATION OF ESTATES OF DECEASED AND INSANE PERSONS IN CERTAIN CASES, AND TO REPEAL ACT 24 OF THE CANAL ZONE LAWS, AND THE EXECUTIVE ORDERS AMENDATORY THERETO.

By virtue of the authority invested in me, I hereby establish the following Executive Order for the Canal Zone:

SECTION 1. Whenever an employee in the service of the Isthmian Canal Commission, or the Government of the Canal Zone, or of the Panama Railroad Company, shall die, leaving an estate in the said Zone, or whenever such decedent, being a citizen of the United States, leaves an estate in the Canal Zone, or in the Republic of Panama; and the said estate consists of personal property only, not exceeding in value the sum of \$1,000.00,³¹⁴ and a regular administration shall not have been instituted in the courts of the Canal Zone, the Collector of Revenues³¹⁵ for the Canal Zone is hereby authorized and directed to take possession of the estate of the said deceased person and to make a complete inventory thereof and present the same to the Judge of the Circuit Court of the First Judicial Circuit of the Canal Zone, to be filed by the said judge in the records of his court when approved by him.

SECTION 2. The Collector of Revenues, with the approval of the Judge of the Circuit Court of the First Judicial Circuit, out of the assets of the estate, may pay the burial expenses of the said deceased person and all expenses necessarily incurred in securing possession of the estate and of administering the same until it is turned over to the heirs or other parties entitled thereto, and he may also pay the expenses of the transportation of the remains of the decedent to the United States, if he is an American Citizen and such transportation is desired by the surviving relatives. He shall also pay the lawful debts of the deceased, with the approval of the Circuit Judge.

SECTION 3. In case the deceased shall have to his credit with the Isthmian Canal Commission, the Government of the Canal Zone, or the Panama Railroad Company, any sum as salary or other acknowledged claim, the amount so due shall be paid to the Collector of Revenues, and be by him administered as a part of said estate in the manner prescribed by this Order; PROVIDED, that if there should be a regular administration upon the estate of the deceased in a court of competent jurisdiction of the Canal Zone, then the sum due to the deceased shall be paid to the regular executor or administrator of the estate appointed by said court.

SECTION 4. After all of the expenses connected with the burial of the deceased person and in securing possession of the estate and in otherwise administering the same, together with the lawful debts of the deceased, have been fully paid, the balance of such estate shall be paid by the Collector of Revenues, to the parties entitled to receive such estate; but before making such payment, the approval of the Judge of the Circuit Court must be obtained.

³¹⁴ Amended by sec. 1, Executive Order of Mar. 20, 1913, p. 141, by omitting words "not exceeding in value the sum of \$1,000.00."

³¹⁵ Governor's Circular No. 660-10, providing for organization of the Executive Department, makes the Chief, Division of Civil Affairs, the administrator of estates.

SECTION 5. If the deceased employee is an alien and has no heirs in the Canal Zone, the Collector of Revenues is hereby authorized and directed to deliver the residue of the decedent's estate to the diplomatic or consular representative of the country of which the decedent was a citizen or subject accredited to the Republic of Panama, to be delivered by such representative to the heirs of the decedent; if the deceased is a citizen of Panama, the residue of the estate may be delivered to his heirs in Panama, or to the authorities designated for that purpose by the Panamanian laws or decrees.

SECTION 6. After the estate has been fully administered by the Collector of Revenues and the residue thereof has been turned over to the parties entitled to the same according to this Order, the Collector of Revenues shall file a final report of his acts and doings in the estate with the Judge of the Circuit Court, and accompany said report with the proper vouchers and other supporting papers, showing the receipts and disbursements made by him in administering the estate, and the Circuit Judge shall examine said report, and if he finds it correct, he shall approve the same and discharge the Collector of Revenues as such administrator.

SECTION 7. If the decedent should leave a widow, or minor children, or dependent relative, in necessitous circumstances to be determined by the Circuit Judge, the residue of the estate of the decedent, after all of the funeral expenses, the expenses of transportation of the remains of the deceased to the United States, if the remains are transported, and the other expenses incident to the administration of the estate are fully paid, shall be delivered to said widow, or minor children, or dependent relative, as the case may be, for their maintenance and support; and, except as in this section otherwise provided, the claims of the widow, minor children, or dependent relative of the deceased for this allowance shall be superior to the claims of the creditors of the deceased, PROVIDED, that such preference in favor of the widow, minor children, or dependent relative shall not exceed \$500.00.

SECTION 8. If an employee of the Isthmian Canal Commission, the Government of the Canal Zone, or the Panama Railroad Company should be adjudged insane by the Canal Zone Courts and have an estate not exceeding \$1,000.00 in value³¹⁶ and consisting entirely of personal property, and no regular guardianship of such estate shall have been instituted in the Canal Zone Courts, it shall be the duty of the Collector of Revenues to take possession of the estate of such insane person, including any salary or other acknowledged claim due to such employee by the Isthmian Canal Commission, the Canal Zone Government, or the Panama Railroad Company, and make a complete inventory thereof and file the same with the Judge of the Circuit Court of the First Judicial Circuit of the Canal Zone; and under the direction and with the approval of the Judge of the said Court, the Collector of Revenues may pay the lawful indebtedness due by the insane person, as well as the expenses incurred in administering said estate, and he shall hold the residue of the estate subject to the orders of the Circuit Judge.

If the insane person has a wife, minor child or children, or dependent relative, in necessitous circumstances, to be determined by the Circuit Judge, the court shall set aside a sufficient sum out of the said estate for their maintenance and support, not to exceed the sum of \$500.00 in the aggregate, to be paid in such manner and at such times as the Circuit Judge may prescribe, and which allowance shall be superior to all other claims against the estate; and the order of the Judge shall be sufficient authority for the Collector of Revenues to make such payment, taking proper receipts therefor.

In case the insane person is a citizen of the United States and has no wife, child or children, or dependent relative, the Collector of Revenues shall retain possession of the residue of said estate, after the debts and other charges have been paid as above mentioned, and hold same subject to the orders of the court.

If the insane person is a Panamanian and has no wife, child or children, or dependent relative, the residue of the estate, with the approval of the Circuit Judge, may be delivered by the Collector of Revenues to the authorities designated for that purpose by the Panamanian laws or decrees.

If the insane person is an alien, other than a Panamanian, and has no wife, child or children, or dependent relative, the Collector of Revenues, with the approval of the Judge of the Circuit Court, shall pay over the residue of the said estate to the diplomatic or consular representative of the country to which the insane person belongs accredited to the Republic of Panama, to be disposed of by him in accordance with the laws of his country.

SECTION 9. When the estate of the insane person is finally administered and the moneys paid over to the person or persons entitled to receive same as herein provided

³¹⁶ Par. 1, sec. 8, amended by Executive Order of Mar. 20, 1913, p. 141, by omitting words limiting value of estate.

for, the Collector of Revenues shall make his final report on said estate to the Judge of the Circuit Court, and the Court shall approve the same, if found to be correct, and discharge the Collector of Revenues from such guardianship.

SECTION 10. When the Collector of Revenues shall have performed his duties in accordance with the provisions of this Order and shall have delivered the estate or paid over the sums due from the funds of said estate to the person or persons entitled thereto in accordance with the orders of the court, such settlement of the estate shall be deemed a lawful settlement thereof, and the Collector of Revenues shall not be accountable on his bond and shall not be liable to any other person for the estate so administered by him; PROVIDED, that nothing in this Order shall prohibit the lawful heirs or claimants of any person whose estate has been settled in accordance with the provisions of this Order from bringing suit in any court having jurisdiction of the subject-matter and of the parties to the action against the person or persons who received the estate by virtue of the provisions of this act, and from recovering the same or the value thereof from such person or persons upon proof that the estate has been delivered to the persons not entitled to receive and retain same.

SECTION 11. This Order shall apply to the estate of persons who died or became insane prior to the passage of this Order, as well as to those who die or become insane after the date of its promulgation.

SECTION 12. If the Collector of Revenues shall deem it to the best interest of the estate of the deceased or insane person to convert any part or all of the property of the estate into cash, he may dispose of the same by public or private sale, with the approval of the Circuit Judge.

SECTION 13. The proceedings to be had before the Judge of the Circuit Court as herein provided for may be conducted without the necessity of any prior notice being given of the same, either by publication or otherwise; and the judge may proceed in such cases in open court or in chambers, and shall give precedence to such matters over all other business pending before him, in order that the estates may be administered and closed as expeditiously as the rights of all parties concerned may permit. No court costs of any kind shall be taxed against estates administered under the provisions of this Order.

SECTION 14. The official bond of the Collector of Revenues shall be security for the moneys and properties received by him in the performance of the duties prescribed for him by this Order.

SECTION 15. Act 24,³¹⁷ of the Canal Zone Laws, entitled:

"An Act providing for an inexpensive method of Administration upon the Estates of Employees of the Government of the Canal Zone, or of the Isthmian Canal Commission, who are citizens of the United States, and who die in the Canal Zone, Isthmus of Panama, leaving estates of small value upon which regular administration is deemed inadvisable."

enacted March 1, 1905, and Executive Order dated June 22, 1907,³¹⁸ effective July 1, 1907, and Executive Order dated July 21, 1909,³¹⁹ respectively, amendatory of said Act 24, and all laws in conflict herewith, are hereby repealed.

SECTION 16. This Order shall take effect 30 days from and after this date.

WM H TAFT

THE WHITE HOUSE,
February 5, 1912.

[No. 1468.]

Order of the President, Feb. 28, 1912, prescribing maximum speed for motor vehicles and establishing rules of the road for the Canal Zone.

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

Section 1. No automobile, motor cycle, or bicycle shall be driven or operated over the roads or streets of the Canal Zone at a speed exceeding fifteen (15) miles an hour on straight roads, or at a speed exceeding eight (8) miles an hour when approaching or traversing curves, forks, or crossroads, or when traveling over the streets of any

³¹⁷ L. C. Z. 254.

³¹⁸ p. 66.

³¹⁹ p. 89.

city, town, or village of the Canal Zone. The owner of an automobile, if within the car, shall be held responsible for its speed; in the absence of the owner, the person actually driving the automobile shall be held responsible. The person operating a motor cycle or bicycle shall be held responsible for its speed.³²⁰

Section 2. In the operation or employment of automobiles, motor cycles, bicycles, carriages, wagons, and other vehicles over Canal Zone roads or streets, the following rules shall be observed, viz: All such vehicles, in meeting and passing other vehicles, or in being overtaken and passed by other vehicles, shall keep to the left of the road; and in overtaking and passing other vehicles they shall keep to the right. The owner of an automobile or other vehicle, if riding therein, shall be held responsible for the driving or operation thereof, agreeably to the provisions of this section; in the absence of the owner, the person driving or operating such vehicle shall be held responsible. In the case of any motor cycle or bicycle, the person operating same shall be held responsible.

Section 3. Any person violating any provision of this order shall be punished by a fine not exceeding One Hundred Dollars (\$100.00), United States currency, or by imprisonment not exceeding thirty (30) days, or by both such fine and imprisonment, in the discretion of the court.

Section 4. The Executive Order of February 27, 1908,³²¹ relative to the speed of automobiles on Canal Zone roads is hereby repealed.

Section 5. This order shall take effect thirty days from this date.³²²

WM H TAFT

THE WHITE HOUSE,
February 28, 1912.

[No. 1489.]

To prevent trespassing upon reservations.³²³

By virtue of the authority vested in me, I hereby establish the following Order for the Canal Zone:

Section 1. Every person who shall go into or upon any reservation or other place belonging to or under the control of the United States of America, the Canal Zone Government, or the Panama Railroad Company, after such reservation or place has been posted as hereinafter prescribed in this Order, and without the permission of the person in charge of such reservation or place, shall be deemed guilty of trespassing; and upon conviction shall be punished by a fine not to exceed \$25.00, or by imprisonment in jail not to exceed 30 days or by both such fine and imprisonment in the discretion of the court.

Section 2. The posting required by this Order shall consist of printed or painted signs, conspicuously placed, by the authority of the Chairman of the Commission, at or near the reservation or place from which the public are to be excluded, and shall in plain and simple words warn all persons against trespassing upon the reservation or place.

Section 3. Every person who wilfully injures, destroys, or removes any sign placed or erected under the provisions of this Order shall be punished by a fine not to exceed \$100.00, or by imprisonment in jail not to exceed 3 months, or by both such fine and imprisonment in the discretion of the court.

Section 4. This Order shall take effect 60 days from and after this date.

WM H TAFT

THE WHITE HOUSE,
April 17, 1912.

[No. 1519.]

³²⁰ Sec. 1, amended by Executive Order of Sept. 5, 1916, p. 216.

³²¹ p. 78.

³²² This order in turn repealed by Executive Order of April 14, 1921, p. 283.

³²³ See also sec. 426 of the Penal Code (L. C. Z. 163) relating to trespassing, and Executive Order of Sept. 8, 1911, p. 118, prohibiting the placing of signs on lands and property of the United States and the Panama Railroad Company. See also circular No. 649 relating to visitors to defense reservations.

Order of the President, May 21, 1912, amending order of May 13, 1911, relative to distillation tax and prohibiting operation of stills after January 1, 1913.

By virtue of the authority vested in me, the Executive Order of May 13, 1911, providing for the collection of a distillation tax in the Canal Zone,³²⁴ is amended as follows:

1. The output of each still may be measured by any method approved by the Chairman of the Isthmian Canal Commission, if in his opinion measurement by meter, as provided in section 3 of said Executive Order, is not satisfactory.

2. On and after January 1, 1913, the right to operate any still within the Canal Zone shall cease and determine, and any person who shall, on or after that date, manufacture or distill any of the spirits or alcoholic liquors enumerated in the Executive Order of May 13, 1911, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00) or by imprisonment in the District Jail for a term not exceeding twelve (12) months, or by both such fine and imprisonment, within the discretion of the court.

3. This order shall take effect from and after this date.

WM H TAFT

THE WHITE HOUSE,
May 21, 1912.

[No. 1532.]

Order of the President, June 19, 1912, waiving provisions of Eight-hour Contract Act of June 19, 1912, as to Canal contracts until January 1, 1915.³²⁵

By virtue of the authority conferred upon me by Section 2 of the act entitled "An Act limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes," approved June 19, 1912, the provisions and stipulations in said act are hereby waived, until January first, nineteen hundred and fifteen, as to any contract or contracts entered into in connection with the construction of the Isthmian Canal.

WM H TAFT

THE WHITE HOUSE,
June 19, 1912.

[No. 1547.]

Consolidating the Administrative District of Gorgona with that of Empire, and for other purposes.

By virtue of the authority vested in me I hereby establish the following order for the Canal Zone:

Section 1. The Administrative District of Emperador shall be known hereafter as the Administrative District of Empire, and the town of Empire shall be the head of the District.

Section 2. The Administrative District of Gorgona is hereby abolished, and the territory heretofore embraced in said District is incorporated into the Administrative District of Empire for all judicial, administrative and political purposes.³²⁶

Section 3. The District Court of Gorgona is hereby abolished, and all cases, civil or criminal, pending in said Court, at the time this order takes effect are transferred to the District Court of Empire, to be tried and disposed of in said court in like manner and form as if they had been originally instituted therein, without prejudice to any rulings or orders that may have been previously made in said cases by the District Court of Gorgona; and all process issued in said cases made returnable to the District Court of Gorgona shall be returnable to the District Court of Empire, and the records and files of the District Court of Gorgona shall be transferred to and become a part of the records and files of the District Court of Empire as soon as this order takes effect.

³²⁴ p. 112. See notes thereunder.

³²⁵ T. & A. 67.

³²⁶ See Executive Order of Mar. 13, 1907, p. 60, establishing administrative districts. The three remaining administrative districts of Ancon, Empire, and Cristobal went out of existence as of Apr. 1, 1914, when the new subdivisions of the Canal Zone were established by Executive Order of Mar. 12, 1914, p. 163.

Section 4. If at any time it is impracticable to assign a District Judge of one district to hold the court of another District Judge, the Head of the Department of Civil Administration, with the approval of the Chairman of the Isthmian Canal Commission, shall appoint some competent person to act as a special judge to hold such court until the regular judge thereof returns to his duties, or one of the District Judges is assigned to such court under the existing laws. Any person appointed special judge hereunder, while serving in that capacity shall receive compensation for his services at the same rate as that paid to the regular district judge.

Section 5. The powers and duties heretofore vested in and imposed on the administrative officers of the District of Gorgona are hereby transferred to the corresponding administrative officials respectively in the District of Empire; together with the records and files belonging to such officers.

Section 6. The areas of Gatun Lake lying outside of the east and west lines of the Canal Zone proper (original ten mile strip) and the lands adjacent to said areas up to contour lines of one hundred feet above mean sea level, are hereby included in the present Cristobal Administrative District, and in the Third Judicial Circuit for all judicial, administrative and political purposes; except, that part of the Chagres and its confluences from the point where the said river intersects the eastern line of the Canal Zone proper, thence to the eastward up to contour lines of one hundred feet above mean sea level, which shall be included in the Administrative District of Empire and in the Second Judicial Circuit for such purposes.

Section 7. All laws and orders or parts thereof in conflict with this order are hereby repealed.

Section 8. This order shall take effect ten days from and after this date; provided, that the office of senior District Judge in accordance with the preexisting laws shall continue until December 31, 1912, at which date the said office shall cease to exist,—and provided further, that nothing in this order shall be construed to deprive any judicial or administrative officer of the District of Gorgona as now formed, of leave of absence with pay that may be due him when this order takes effect.

WM H TAFT

THE WHITE HOUSE,
September 12th, 1912.

[No. 1605.]

[Panama Canal toll rates.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

I, WILLIAM HOWARD TAFT, President of the United States of America, by virtue of the power and authority vested in me by the Act of Congress, approved August twenty-fourth, nineteen hundred and twelve, to provide for the opening, maintenance, protection and operation of the Panama Canal and the sanitation and government of the Canal Zone,³²⁷ do hereby prescribe and proclaim the following rates of toll to be paid by vessels using the Panama Canal:

1. On merchant vessels carrying passengers or cargo one dollar and twenty cents (\$1.20) per net vessel ton—each one hundred (100) cubic feet—of actual earning capacity.

2. On vessels in ballast without passengers or cargo forty (40) per cent less than the rate of tolls for vessels with passengers or cargo.

3. Upon naval vessels, other than transports, colliers, hospital ships and supply ships, fifty (50) cents per displacement ton.

4. Upon army and navy transports, colliers, hospital ships and supply ships one dollar and twenty cents (\$1.20) per net ton, the vessels to be measured by the same rules as are employed in determining the net tonnage of merchant vessels.

The Secretary of War will prepare and prescribe such rules for the measurement of vessels³²⁸ and such regulations as may be necessary and proper to carry this proclamation into full force and effect.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

³²⁷ T. & A. 79. See notes thereunder.

³²⁸ Prescribed by Executive Order of Nov. 21, 1913, p. 154.

Done at the City of Washington this thirteenth day of November in the year of our Lord one thousand nine hundred and twelve and of the independence of the United States the one hundred and thirty-seventh.

WM H TAFT

By the President:
P. C. KNOX,
Secretary of State.

[No. 1225.]

Order of the President, Dec. 5, 1912, declaring all lands in the Canal Zone necessary for Canal purposes.

By virtue of the authority vested in me by the Act of Congress entitled "An Act to provide for the opening, maintenance, protection and operation of the Panama Canal and the sanitation and government of the Canal Zone," approved August 24, 1912,³²⁹ I hereby declare that all land and land under water within the limits of the Canal Zone are necessary for the construction, maintenance, operation, protection and sanitation of the Panama Canal, and the Chairman of the Isthmian Canal Commission is hereby directed to take possession, on behalf of the United States, of all such land and land under water; and he may extinguish, by agreement when practicable, all claims and titles of adverse claimants to the occupancy of said land and land under water.³³⁰

WM H TAFT

THE WHITE HOUSE,
December 5th, 1912.

To amend the Executive Order providing for the inspection of steam vessels, approved July 21, 1911

By virtue of the authority vested in me, I hereby establish the following Order for the Canal Zone:

SECTION 1. Section 10 of the Executive Order entitled "Executive Order Providing for the Inspection of Steam Vessels," approved July 21, 1911,³³¹ is hereby amended to read as follows:

SECTION 10. Before issuing an inspection certificate to any vessel, the Collector of Revenues shall demand and receive from the owner or master of such vessel the following compensation for inspection and examination made for the year, in addition to any fees for issuing enrollments and licenses now, or which may hereafter be, allowed by law:

For each steam vessel under 15 gross tons.....	\$5.00
For each steam vessel over 15 gross tons and not exceeding 100 gross tons.....	10.00
For each and every gross ton in excess of 100 gross tons.....	.05

The fees herein provided for shall cover the cost of the certificate, as well as the cost of inspection and examination of the vessel, and shall be for the use and benefit of the Canal Zone Government.

SECTION 2. Section 18 of the above-mentioned Executive Order is hereby amended so as to read as follows:

SECTION 18. Every vessel coming within the provisions of this Order shall be provided with such number of lifeboats, floats, rafts, life-preservers, line carrying projectiles and best means of propelling them, lights, drags, anchors, and with such other equipment, as, in the judgment of the Board of Local Inspectors, will best procure the safety of all persons on board such vessels in case of disaster. And every such vessel shall have the lifeboats required by this Order provided with suitable boat disengaging apparatus, so arranged as to allow such boats to be safely launched while such vessels are under speed, or otherwise, so as to allow such disengaging apparatus to be operated by one person, disengaging both ends of the boat simultaneously from the tackle by which it may be lowered to the water; and the Board of Local Inspectors

³²⁹ T. & A. 75.

³³⁰ Las Sabanas area excepted from provisions of this order by Executive Order of Feb. 18, 1913, p. 133, and that area was transferred to the Republic of Panama by the Boundary Convention of 1914 (T. & A. 25). By Act of Congress of June 5, 1920 (T. & A. 229) a certain tract of land in Cristobal, C. Z., was withdrawn from the operation and effect of above order.

³³¹ p. 113 hereof. See notes thereunder.

shall determine the kind of lifeboats, floats, rafts, life-preservers, line carrying projectiles and means of propelling the same, lights, drags, anchors, and other equipment which are to be used on the vessel; and also the kind and capacity of the pumps for freeing the vessel from water in case of heavy leakage, the capacity of such pumps being suited to the navigation in which the vessel is employed.

SECTION 3. This order shall take effect thirty days from this date.

WM H TAFT

THE WHITE HOUSE,
January 13, 1913.

[No. 1680.]

Order of the Secretary of War, Jan. 24, 1913, fixing compensation of L. S. Rowe and R. P. Falkner, American members of Joint Land Commission.

By direction of the President, it is ordered:

That L. S. Rowe and Roland P. Falkner, who have been appointed members of the Joint Commission for the appraisalment and settlement of damages to property in the Canal Zone, in accordance with the provisions of Articles Six and Fifteen of the Convention between the United States and Panama, concluded November 18, 1903, be allowed Twenty-five (\$25) dollars per day for their services, including all expenses, from the time of their sailing from New York until their return thither; provided that they shall be granted free transportation on the Panama Railroad Steamship Line from New York to the Isthmus and return, free transportation over the Panama Railroad, and such other transportation as may be necessary when traveling on official business on the Isthmus; they shall also be allowed the ordinary privileges of Government employees on the Isthmus, including employees' rates at the hotels of the Isthmian Canal Commission.

HENRY L. STIMSON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., January 24, 1913.

Order of the President, Feb. 18, 1913, excepting the area of land known as Las Sabanas from the provisions of the order of Dec. 5, 1912, declaring all lands in the Canal Zone necessary for Canal purposes.

By virtue of the authority vested in me I hereby order that all that area of land in the Canal Zone known as Las Sabanas be excepted from the provisions of the Executive Order of December 5, 1912,³³² directing the Chairman of the Isthmian Canal Commission to take possession on behalf of the United States of all privately owned lands in the Canal Zone, the said area being bounded on the south by the present limits of the City of Panama, on the southeast by the Pacific Ocean, on the northeast by the boundary line of the Canal Zone from monument 99 for a distance of four thousand seven hundred and forty-four and five-tenths (4744-5/10) meters to monument marked "F", on the northwest by a line extending from said monument F south 63 degrees 32 minutes west for a distance of two thousand and eight and six-tenths (2008-6/10) meters to the intersection of said line with the Curundu River, and on the west by the Curundu River from said point of intersection to the point where said river crosses the present boundary line of the City of Panama.

WM H TAFT

THE WHITE HOUSE,
February 18, 1913.

[No. 1704.]

Order of the President, Feb. 18, 1913, providing that all artisans, citizens of the United States, who have rendered one year's satisfactory service on the Isthmus may be transferred within three years to corresponding positions in the classified service.³³³

All artisans, citizens of the United States, who are now or may hereafter be in the service of the Isthmian Canal Commission and who have rendered one year's satis-

³³² p. 132. See notes thereunder.

³³³ Superseded by Executive Order of Jan. 19, 1915, p. 207.

factory service on the Isthmus of Panama, and who may be recommended, upon discharge, for transfer, may be transferred within three years to corresponding positions in the classified service under the several Executive Departments and independent Government establishments, without examination, subject to the other provisions of the civil service rules.

WM H TAFT

THE WHITE HOUSE,
February 18th, 1913.

[No. 1705.]

Order of the President, Feb. 24, 1913, prohibiting the entrance into the continental territory of the United States of alien laborers from foreign countries or the insular possessions of the United States or the Canal Zone.

Whereas, by the act entitled "An Act to regulate the immigration of aliens into the United States," approved February 20, 1907,³³⁴ whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;³³⁵

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by certain foreign governments to their citizens or subjects who are laborers, skilled or unskilled, to proceed to countries or places other than the continental territory of the United States, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such alien laborers, skilled or unskilled, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

WM H TAFT

THE WHITE HOUSE,
February 24, 1913.

[No. 1712.]

Order of the President, Feb. 26, 1913, providing a method for the determination and adjustment of all claims arising out of personal injuries to employees engaged on the Canal or the Panama Railroad.

By virtue of the authority vested in me by Section 5 of the Panama Canal Act, approved August 24, 1912,³³⁶ directing the President to "provide a method for the determination and adjustment of all claims arising out of personal injuries to employees thereafter occurring while directly engaged in actual work in connection with the construction, maintenance, operation or sanitation of the Canal, or of the Panama Railroad, or of any auxiliary canal, locks or other works necessary and convenient for the construction, maintenance, operation or sanitation of the Canal, whether such injuries result in death or not, and prescribe a schedule of compensation therefor," I hereby establish the following Order for the Canal Zone:³³⁷

Section 1. The United States or the Panama Railroad Company shall pay compensation as hereinafter specified for personal injuries to their respective employees occurring after March 1st, 1913, while such employees are directly engaged in actual work in connection with the construction, maintenance, operation or sanitation of the Canal, or of the Panama Railroad, or of any auxiliary canal, locks or other works necessary and convenient for the construction, maintenance, operation or sanitation of the Canal, whether such injuries result in death or not; but no compensation shall be paid if the injury is caused (1) by the employee's intention to bring about the injury or death of himself or of another, or (2) by his intoxication.

³³⁴ T. & A. 41. Repealed by act of Feb. 5, 1917 (T. & A. 149).

³³⁵ See Executive Order of Mar. 14, 1907, p. 63, on this subject; and Act of Congress of Feb. 5, 1917 (T. & A. 149), regulating immigration.

³³⁶ T. & A. 79. See notes thereunder.

³³⁷ This order suspended by Executive Order of Mar. 24, 1913, which has also been published as an appendix to this order. See last page of this order and notes thereunder.

Section 2. *Compensation the exclusive remedy.*—Except as provided in this order, the United States and the Panama Railroad Company shall not be liable for personal injury to or the death of an employee for which compensation is provided in Section 1 hereof.

Section 3. *Waiting period.*—During the first five days of disability resulting from the injury the employee shall not be entitled to compensation, except as provided in section 9. No compensation shall at any time be paid for such period.

Section 4. *Total disability.*—If the injury results in total disability, there shall be paid to the employee a monthly compensation equal to fifty per cent of his monthly pay. This compensation shall be paid during such disability, not exceeding a period of six years from the fifth day of disability of any kind resulting from the injury. After such period of six years there shall be paid to the employee during such disability a monthly compensation equal to not more than forty per cent. and not less than twenty-five per cent. of his monthly pay.

Section 5. *Partial disability.*—If the injury results in partial disability, there shall be paid to the employee a monthly compensation equal to fifty per cent. of the difference between his monthly pay and his wage earning capacity per month after the beginning of such partial disability. This compensation shall be paid during such disability for a period not exceeding six years from the fifth day of disability of any kind resulting from the injury. After such period of six years, there shall be paid to the employee during such disability a monthly compensation equal to not more than forty per cent. and not less than twenty-five per cent. of the difference between his monthly pay and his wage earning capacity per month after such period of six years.

Section 6. *Affidavit as to wages.*—After the beginning of partial disability the Governor of the Panama Canal may, from time to time, require the injured employee to make an affidavit as to the wages per month which he is receiving. In the statement of the wages the value of rent, board, lodging and other advantages received from the employer, which can be estimated in money, shall be taken into account. If the employee at any time fails to make such affidavit, he shall not be entitled to any compensation while such failure continues, and the period of such failure shall be deducted from the period during which compensation is payable to the employee.

Section 7. *Refusal to work.*—If the employee refuses to work after suitable work is furnished to or secured for him by the United States or the Panama Railroad Company he shall not be entitled to any compensation while such refusal continues, and the period of such refusal shall be deducted from the period during which compensation is payable to the employee.

Section 8. *Sick leave.*—If at the time disability begins the employee has to his credit any unused sick leave, he may, at his option, subject to the approval of the Governor of the Panama Canal, use such leave until exhausted. During such time no compensation shall accrue, and any period of sick leave allowed on account of such disability after the first five days of disability shall be deducted from the period of six years referred to in Sections 4 and 5.

Section 9. *Medical, etc., attendance.*—There shall be furnished to the injured employee reasonable medical, surgical, and hospital services and supplies, unless the employee elects to furnish his own physician or to care for himself. If in the opinion of the Governor of the Panama Canal a surgical operation is necessary, either to save the life of the injured employee or to render the disability less serious, and the employee refuses to submit to such operation, he shall not be entitled to any compensation thereafter, but in case of his death, compensation shall be paid as herein-after provided.

Section 10. *Transportation of injured employees.*—If in the opinion of the Governor of the Panama Canal it is not desirable to continue the injured employee in the service, such employee, as soon as he is able to travel, shall, in the discretion of the Governor of the Panama Canal, be furnished transportation to his home. If at the time of the injury the employee is on the Isthmus, the Governor of the Panama Canal may, in his discretion, suspend, for such period as such employee remains on the Isthmus after free transportation has been offered to him as herein provided, the compensation payable to such employee.

Section 11. *Death payments.*—If the injury results in death within six years, there shall be paid to the following persons for the following periods a monthly compensation equal to the following percentages of the deceased employee's monthly pay:

(A) *To the widow or widower if there is no child.*—If wholly dependent for support upon the deceased employee at the time of the death, thirty-five per cent. for a period of six years from the date of the death, unless before that time such widow or widower dies or marries; after such period of six years not less than twenty per cent. nor more than thirty per cent. until death or marriage; if partly dependent, the compensation shall be a proportionate amount of the above compensation.

(B) *To the widow or widower if there is a child.*—The compensation payable under Clause A, and in addition thereto ten per cent. for each child, not to exceed a total of fifty per cent. for self and children; after the expiration of six years from the date of the death the total for self and children shall not exceed twenty-five to forty per cent. Compensation payable on account of any child shall cease when he dies, marries, or reaches the age of eighteen, or if over the age of eighteen and incapable of self-support, becomes capable of self-support.

(C) *To the children if there is no widow or widower.*—Twenty-five per cent. for one child and ten per cent. additional for each additional child not to exceed a total of fifty per cent. divided among such children share and share alike. After the expiration of six years from the date of the death of the deceased employee, the total shall not exceed twenty-five to forty per cent. The compensation of each child shall be paid until he dies, marries or reaches the age of eighteen years, or if over the age of eighteen and incapable of self-support, becomes capable of self-support.

(D) *To the parents, if there is no widow, widower or child.*—If one is wholly dependent for support upon the deceased employee at the time of his death and the other is not dependent to any extent, twenty-five per cent; if both are wholly dependent, twenty per cent. to each; if one is or both are partly dependent a proportionate amount in the discretion of the Governor of the Panama Canal. This compensation shall be paid for a period of eight years from the time of the death, unless before that time the parent dies, marries or ceases to be independent.

(E) *To the brothers, sisters, grandchildren and grandparents, if there is no widow, widower, child or dependent parent.*—If one is wholly dependent upon the deceased employee for support at the time of the death, twenty per cent.; if more than one are wholly dependent, thirty per cent., divided among them share and share alike. If there is no one of them wholly dependent, but one or more are partly dependent, ten per cent. divided among them share and share alike. The compensation of each beneficiary shall be paid for a period of eight years from the time of the death unless before that time he, if a grandparent dies, marries or ceases to be dependent, or, if a brother, sister or grandchild, dies, marries or reaches the age of eighteen years, or if over that age and incapable of self-support becomes capable of self-support.

(F) As used in this section, the term "child" and "children" include step-children, adopted children, posthumous children and illegitimate children, but do not include married children. The terms "brother" and "sister" and their plurals include step-brothers and stepsisters, half-brothers and half-sisters, and brothers and sisters adopted by the parent of the deceased employee, but do not include married brothers and married sisters. The terms "grandchild" and "grandchildren" include children of adopted children, and children of stepchildren, but do not include step-children of children, stepchildren of stepchildren, stepchildren of adopted children or married grandchildren. All of the above terms include only persons under eighteen years of age or over that age and incapable of self-support. The terms "parent" and "parents" include step-parents and the parents by whom the deceased employee was adopted. The terms "grandparent" and "grandparents" include the parents of the parents by whom the deceased employee was adopted, but do not include parents of step-parents, step-parents of parents, or step-parents of step-parents. The term "widow" and "widower" include only the decedent's wife or husband actually dependent upon him or her for support at the time of the death.

(G) The period during which compensation was payable to the deceased employee before his death shall be deducted from the period of six years referred to in Clauses A, B, and C, and from the period of eight years referred to in Clauses D and E.

(H) Upon the cessation of compensation under this section to or on account of any person, the compensation of the remaining persons entitled to compensation for the unexpired part of the period during which their compensation is payable, shall be that which such persons would have received if they had been the only persons entitled to compensation at the time of the decedent's death.

Section 12. *Burial expenses.*—If the employee dies as a result of the injury away from his home, office or outside of the United States and compensation has not ceased, his body shall, if practicable, or if desired by his relatives, and if transportation has not been furnished the employee under Section 10 before his death, be embalmed and transported in a hermetically sealed casket to the home of the employee if such home is within the United States. If death occurs on the Isthmus and the body is not transported away from the Isthmus, the body shall be interred on the Isthmus at the expense of the United States or of the Panama Railroad.

Section 13. *Computation of pay.*—If the monthly pay of the employee is over two hundred dollars a month, the monthly pay shall be considered to be two hundred dollars. Subject to this maximum, the monthly pay shall be computed as follows:

(A) If the employee is paid by the year divide his yearly pay at the time of the injury by twelve;

(B) If the employee is paid by the month, take his monthly pay at the time of the injury;

(C) If the employee is paid by the week, multiply his weekly pay at the time of the injury by fifty-two and divide the result by twelve;

(D) If the employee is paid by the day, multiply his daily pay at the time of the injury by twenty-six;

(E) If the employee is paid by the hour, multiply his hourly pay at the time of the injury by the number of hours constituting a day's work and multiply the result by twenty-six;

(F) If the employee is paid by his output; find his hourly pay at the time of the injury by dividing the total amount earned by him in the employment in which and at the rate of pay at which he was employed at the time of the injury, during so much of the thirty days next preceding the injury, including the day of the injury, as he was so employed, by the number of hours so employed during such thirty days, then proceed as in (E);

(G) In making the computation provided in Clauses (E) and (F) of this section, overtime shall not be taken into account;

(H) Substitution shall be included as part of the pay.

Section 14. *Commutation of periodical payments.*—If the monthly payments to the beneficiary are less than Five dollars per month, or if the beneficiary is not a citizen of the United States, or is or is about to become a non-resident of the United States, or if the Governor of the Panama Canal determines that it is for the best interests of the beneficiary, the liability of the United States or of the Panama Railroad Company for compensation to such beneficiary shall be discharged by the payment of a lump sum equal to two-thirds of all future payments of compensation. The probability of the beneficiary's death before the expiration of the period during which he is entitled to compensation, shall be determined according to the American Table of Mortality. The probability of the happening of any other contingency affecting the amount or duration of the compensation shall be disregarded.

Until such time as the President, under the authority of Section 4 of the Act of August 24, 1912, entitled "An Act to provide for the opening, maintenance, protection and operation of the Panama Canal and the sanitation and government of the Canal Zone," shall discontinue the Isthmian Canal Commission, compensation shall be paid in a lump sum in all cases, unless the Chairman of the Isthmian Canal Commission in any case determines that payment in installments for any part or all of the period during which compensation is payable is for the best interests of the United States or of the Panama Railroad Company or of the beneficiary.

Section 15. Payment of the compensation shall be made to the beneficiary or to such representative as the Governor of the Panama Canal may determine.

Section 16. *Determination of wage earning capacity.*—In the determination of the employee's wage earning capacity after the beginning of partial disability the value of rent, board, lodging and other advantages which are received from his employer and which can be estimated in money, shall be taken into account.

Section 17. *Notice of injury or death.*—Immediately after the injury, the injured employee or some one on his behalf shall give to the immediate superior of such employee a written notice of the injury, and if the injury results in the death of the employee, one of the persons entitled to compensation or some person on his behalf, within 90 days thereafter, shall give to the immediate superior of such employee or to the Governor of the Panama Canal a written notice of such death. The notice shall state the name of the employee, his class of service, the year, month, day and hour when and the particular locality where the injury or death occurred, the cause of the injury or death, the nature of the injury, the nature and extent of the disability resulting therefrom, and the address of the employee and of the person giving the notice. The notice may be given personally or sent by mail. The Governor of the Panama Canal may, in his discretion, waive the giving of a notice.

Section 18. *Report of injury or death.*—Immediately after an injury to an employee resulting in his death or in his probable disability, the immediate superior of the employee shall at once make a report to the Governor of the Panama Canal, containing such information as the Governor of the Panama Canal may, by regulation, require.

Section 19. *Claim for compensation.*—No compensation under this order shall be allowed to any person unless he, or some on his behalf, shall make a written claim therefor upon the Governor of the Panama Canal within the time specified in Section 21. The claim may be served personally upon or sent by mail to the Governor of the Panama Canal or to such person as he may, by regulation, require.

Section 20. *Contents of claim.*—The claim shall be signed by the person making the claim and shall state the name of the employee, his age, sex, nationality and class of

service, the year, month, day and hour when and the particular locality where the injury or death occurred, the cause of the injury or death, the nature of the injury, the nature and extent of the disability resulting therefrom; the monthly pay of the employee at the time of the injury, the relationship of the person entitled to compensation to the employee, the names and addresses of all persons entitled to compensation on account of such injury or death, the amount and duration of the compensation claimed, and the address of the person making the claim. The claim shall be sworn to by the person entitled to compensation or by the person acting on his behalf, and, except in case of death, or as otherwise provided in regulations prescribed by the Governor of the Panama Canal, shall be accompanied by a certificate of the employee's physician, if any, stating the nature of the injury, and the nature and extent of the disability. The claim shall, wherever possible, be made on forms furnished by the Governor of the Panama Canal, and in addition to the statements above required, shall contain such other information as the Governor of the Panama Canal may require.

The Governor of the Panama Canal may waive the making of and swearing to claims and the inclusion therein of any of the above requirements in such cases as he may deem proper.

Section 21. *Time within which claim must be made.*—Claims for compensation shall be made within sixty days after the injury, or, in case of death, within one year after the death. For any reasonable cause shown, the Governor of the Panama Canal may allow claim for injury to be filed within one year after the injury.

Section 22. *Amendment of claim.*—The Governor of the Panama Canal may, after receipt of the claim, demand a further claim specifying in the demand in what particular the claim is defective. Failure to make such demand shall constitute a waiver by the United States or by the Panama Railroad Company, as the case may be, of all defects which the claim may contain. After receipt of such demand, the person making the claim may, at any time within 60 days, make an amended claim which shall supersede the first claim and have the same effect as an original claim.

Section 23. *Medical examination.*—After the injury and during disability the employee shall as frequently and at such times and places as may be reasonably required submit himself to examination by a medical officer of the United States or by a duly qualified physician designated by the Governor of the Panama Canal and paid by the United States or by the Panama Railroad Company, as the case may be. The employee may have a duly qualified physician designated and paid by him present to participate in such examination. For all examinations after the first, the employee shall, in the discretion of the Governor of the Panama Canal, be paid his reasonable traveling and other expenses and loss of wages incurred in order to submit to such examination. If the employee refuses to submit himself for or in any way obstructs any examination, his right to claim compensation under this order shall be suspended until such refusal or obstruction ceases. No compensation shall be payable while such refusal or obstruction continues and such period shall be deducted from the period for which compensation would otherwise be payable.

Section 24. *Disagreement between physicians.*—In case of any disagreement between the physicians making an examination on the part of the United States or the Panama Railroad Company and the employee's physician, the Governor of the Panama Canal shall appoint a third physician, duly qualified. The decision of the majority shall be final. A reasonable fee shall be allowed and paid by the United States or by the Panama Railroad Company, as the case may be, to such third physician if he is not a medical officer of the United States.

Section 25. *Assignment of right against third person.*—If an injury or death for which compensation is payable under this order is caused under circumstances creating a legal liability in some person other than the United States or the Panama Railroad Company to pay damages therefor, no compensation shall be payable to any beneficiary for such injury or death until he assigns to the United States or to the Panama Railroad Company, as the case may be, any right of action which he may have to enforce such liability of such other person, or any right which he may have to share in any money (or other property) received in satisfaction of such liability of such other person. The United States or the Panama Railroad Company, as the case may be, if it prosecutes such right to judgment or settlement shall after deducting the amount of any compensation already paid to the beneficiary and the costs of such prosecution, pay over to the beneficiary any surplus remaining. Such surplus so paid over shall be credited on future instalments of compensation as they become due. The Governor of the Panama Canal may waive the requirement of such assignment or may waive it for such period as he may deem proper.

Section 26. *Assignment of right against Panama Railroad Company.*—If an injury or death for which compensation is payable under this order is caused under circum-

stances creating a legal liability in the Panama Railroad Company to pay damages therefor under the laws of any State, Territory or possession of the United States or of the District of Columbia or of any foreign country, no compensation shall be payable to any beneficiary for such injury or death until he releases to the Panama Railroad Company, any right of action which he may have to enforce such liability of the Panama Railroad or until he assigns to the United States or to the Panama Railroad Company, as the case may be, any right which he may have to share in any money (or other property) received in satisfaction of such liability of the Panama Railroad Company. The Governor of the Panama Canal may waive the requirement of such assignment or release for such period as he may deem proper.

Section 27. *Assignments and attachments.*—No claims for compensation under this order shall be assignable, and all compensation and claims therefor shall be exempt from all claims of creditors. This section is hereby constituted a part of the Laws of the Canal Zone.

Section 28. *Attorneys' fees.*—No claim for legal services in connection with any claim arising under this order shall be enforceable unless approved by the Governor of the Panama Canal. This section is hereby constituted a part of the Laws of the Canal Zone.

Section 29. *Modification of allowance of compensation.*—The Governor of the Panama Canal may at any time review, and, in accordance with the facts found in such review, end, diminish, or increase any compensation previously fixed or determined.

Section 30. *Recovery of compensation erroneously paid.*—If any compensation is paid under mistake of law or of fact the Governor of the Panama Canal shall immediately cancel any order under which such compensation has been paid, and shall recover, as far as practicable, any amount which has been so paid.

Section 31. *Powers of Governor of the Panama Canal.*—The Governor of the Panama Canal shall make all necessary rules and regulations for the proper, effective, and economical enforcement of this order, and shall decide all questions arising under this order or in regard to the interpretation thereof. His determination of any fact necessary to or underlying any claim hereunder, shall be final and conclusive upon all parties and claimants or beneficiaries.

Section 32. *Powers of Chairman of Isthmian Canal Commission.*—Until such time as the President, under the authority of section 4 of the Act of August 24, 1912, entitled "An act to provide for the opening, maintenance, protection and operation of the Panama Canal, and the sanitation and government of the Canal Zone" shall discontinue the Isthmian Canal Commission, and until the Governor of the Panama Canal is appointed and has qualified, all the rights, powers and duties vested in the Governor of the Panama Canal by this order shall be exercised by the Chairman of the Isthmian Canal Commission.

Section 33. *Penalty for false swearing.*—Whoever shall make in any affidavit required under section 6 or in any claim required by section 19, any statement, knowing it to be false, shall be deemed guilty of perjury and shall be punished by a fine of not more than \$5,000, or by imprisonment for not more than 2 years, or by both such fine and imprisonment. This section is hereby constituted a part of the laws of the Canal Zone.

Section 34. *Singular and masculine.*—Wherever used in this order the singular includes the plural and the masculine gender includes the feminine and neuter.

Section 35. *Liability of United States and of Panama Railroad Company.*—If the payment of compensation under this order on account of an injury or death is to be made from the funds of the United States, the Panama Railroad Company shall be released and discharged from all liability on account of such injury or death, and if it is to be made from the funds of the Panama Railroad Company the United States shall be released and discharged from all liability on account of such injury or death. This section is hereby constituted a part of the Laws of the Canal Zone.

Section 36. *Repeal of Laws of Canal Zone.*—All laws of the Canal Zone inconsistent with any of the provisions of this order are hereby repealed. This section is hereby constituted a part of the Laws of the Canal Zone.

Section 37. *Time of taking effect.*—This order shall take effect March 1, 1913.*

WM H TAFT

THE WHITE HOUSE,
February 26th, 1913.

[No. 1722½.]

* Note: The operation of this order has been suspended by the provisions of the following Executive Order: 338

338 Also published as a separate Executive Order, p. 142.

WHEREAS, an Executive Order was promulgated on February 26, 1913, providing a method of compensation for personal injuries to, or for the death of, employees of the Isthmian Canal Commission and of the Panama Railroad Company, and no appropriation has been made available for the payment of compensation under the terms of such Order;

AND WHEREAS, the provisions for the payment of claims for injuries to, or for the death of, employees of the Isthmian Canal Commission and of the Panama Railroad Company, in force prior to the time of the promulgation of said Order of February 26, 1913, should continue until the Order just mentioned can be made effective;

By virtue of the authority vested in me,

IT IS ORDERED, That the operation of the said Order of February 26, 1913, is hereby suspended until further executive order or direction in the premises;³³⁹

AND IT IS FURTHER ORDERED, That, until such further order or direction, payment of compensation for injuries to, or for the death of, employees of the Isthmian Canal Commission and of the Panama Railroad Company, occurring after February 28, 1913, shall, as before that date, continue to be made in accordance with the Act of Congress, approved May 30, 1908 (35 Stat. 556), being "An Act Granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment," the Act of Congress, approved February 24, 1909 (35 Stat. 645), being "An Act Relating to injured employees on the Isthmian Canal," Section 5 of the Act of Congress, approved March 4, 1911, being "An Act Making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes," the laws of the Canal Zone, and the rules and regulations heretofore made in regard thereto.

WOODROW WILSON

THE WHITE HOUSE,
March 24, 1913.

[No. 1755.]

Order of the President, Mar. 19, 1913, providing for the protection of birds and their nests in the Canal Zone.

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone:

Sec. 1. It shall be unlawful for any person to hunt, trap, capture, wilfully disturb or kill any bird of any kind whatever, or to take the eggs of any bird, except in the form and manner permitted by the regulations provided for by this Order.³⁴⁰

Sec. 2. The Isthmian Canal Commission, or the Governor of the Panama Canal after the reorganization is established; is hereby empowered and directed to enact suitable regulations, from time to time, for the protection of birds and their nests, and prescribing the form and manner in which birds may be hunted, and the kinds of birds that may be hunted, and those that shall not be molested.³⁴¹

Sec. 3. A violation of any of the regulations established under this Order shall be punished by a fine of not more than one hundred (\$100.00) dollars or by imprisonment for not more than thirty days for each offense.

Sec. 4. This Order shall take effect thirty days after its publication in the *Canal Record*.³⁴²

WOODROW WILSON

THE WHITE HOUSE,
19 March, 1913.

[No. 1749.]

³³⁹ On Mar. 20, 1914, another Executive Order (p. 165 hereof) was issued providing a method that remained in force until the passage of the Act of Congress of Sept. 7, 1916 (T. & A. 134), which repealed all acts or parts of acts inconsistent therewith, and, under sec. 42, authorized the President to transfer the administration thereof, so far as employees of The Panama Canal and the Panama Railroad are concerned, to the Governor of The Panama Canal. This transfer was effected by Executive Order of Sept. 15, 1916, p. 217. See the 668 series of Governor's Circulars on this subject, as well as Act of Congress of Apr. 22, 1908 (T. & A. 45), relating to liability of common carriers by railroad to their employees.

³⁴⁰ See sec. 424 of Penal Code (L. C. Z. 163) on this subject.

³⁴¹ Ordinance of Commission of Aug. 22, 1913 (L. C. Z. 297), provides regulations authorized under this order.

³⁴² The publication of the official newspaper to be called *The Canal Record*, was authorized by resolution of the Commission of Aug. 31, 1907, the first issue to appear Sept. 4 of that year. Beginning with issue No. 1, Vol. 10, on Aug. 23, 1916, the form was reduced in size, and the title made *The Panama Canal Record*. The above order was published in *The Canal Record* of Apr. 9, 1913.

Order of the President, Mar. 19, 1913, amending Executive Order of Jan. 6, 1909, relative to the application of the safety appliance acts to equipment of rolling stock at navy yards.

Under authority vested in me by law, it is ordered:³⁴³

Paragraph 5 of Executive Order No. 1002, dated January 6, 1909, is hereby amended by adding the following paragraph thereto:

The application of the requirements of the Safety Appliance Acts to equipment of rolling stock at navy yards is hereby so far modified that the cars and engines at yards and stations will be fitted with safety appliances only to such extent as may, in the judgment of the commandant, subject to the approval of the Chief of the Bureau of Yards and Docks, Navy Department, be deemed necessary or advisable.

WOODROW WILSON

THE WHITE HOUSE,
March 19th, 1913.

[No. 1750.]

TO AMEND AN EXECUTIVE ORDER APPROVED FEBRUARY 5, 1912, PROVIDING AN INEXPENSIVE METHOD FOR THE ADMINISTRATION OF THE ESTATES OF DECEASED AND INSANE PERSONS IN CERTAIN CASES, ETC.

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone:

SECTION I. That Section 1 of an Executive Order entitled: "Executive Order to provide an inexpensive method for the administration of estates of deceased and insane persons in certain cases, and to repeal Act 24 of the Canal Zone laws and the Executive Orders amendatory thereto",³⁴⁴ and the first paragraph of section 8 of said Order, are hereby amended so as to read as follows:

Section 1. Whenever an employee in the service of the Isthmian Canal Commission, or the Government of the Canal Zone, or of the Panama Railroad Company, shall die, leaving an estate in the said Zone, or whenever such decedent, being a citizen of the United States, leaves an estate in the Canal Zone or in the Republic of Panama; and the said estate consists of personal property only and a regular administration shall not have been instituted in the Courts of the Canal Zone thereon, the Collector of Revenues for the Canal Zone is hereby authorized and directed to take possession of the estate of the said deceased person and to make a complete inventory thereof and present the same to the Judge of the Circuit Court of the First Judicial Circuit of the Canal Zone, to be filed by the said Judge in the records of his court when approved by him.

Section 8. If an employee of the Isthmian Canal Commission, the Government of the Canal Zone, or the Panama Railroad Company should be adjudged insane by the Canal Zone Courts and the estate consists entirely of personal property and no regular guardianship of such estate shall have been instituted by the Canal Zone Courts, it shall be the duty of the Collector of Revenues to take possession of the estate of such insane person, including any salary or other acknowledged claim due to such employee by the Isthmian Canal Commission, the Canal Zone Government or the Panama Railroad Company, and make a complete inventory thereof and file the same with the Judge of the Circuit Court of the First Judicial Circuit of the Canal Zone, and under the direction and with the approval of the Judge of said court, the Collector of Revenues may pay the lawful indebtedness due by the insane person, as well as the expenses incurred in administering the said estate and he shall hold the residue of the estate subject to the orders of the Circuit Judge.

SECTION II. This amendment shall apply to the estates of employees who died or became insane prior to this date as well as to those who die or are adjudged insane hereafter.

SECTION III. This order shall take effect from and after this date.

WOODROW WILSON

THE WHITE HOUSE,
March 20th, 1913.

[No. 1751.]

³⁴³ p. 86.

³⁴⁴ Order of Feb. 5, 1912, p. 126.

Relating to Foreign Corporations.

By virtue of the authority vested in me, I hereby establish the following Order for the Canal Zone:

SECTION I. No corporation or joint stock company (other than insurance companies) organized under the laws of any State or Territory of the United States or of any foreign government shall do business in the Canal Zone until after it has filed in the office of the Collector of Revenues a duly authenticated copy of its charter or articles of incorporation, as well as a statement, verified by the oath of the president or secretary of said corporation and attested by a majority of its board of directors showing:

1. The name of such corporation and the location of its principal office or place of business outside of the Canal Zone; and if it is to have any place of business or principal office within the Canal Zone the location thereof.

2. The amount of its capital stock.

3. The amount of its capital stock actually paid in, in money, and the amount of its capital stock paid in, in any other way, and in what way the payment was made.

4. The amount of assets of the corporation and in what the assets consist, and the actual cash value thereof.

5. The liabilities of such corporation, and if any of its indebtedness is secured, how secured, and upon what property.

6. Such other evidence as the Collector of Revenues may deem necessary to satisfy him of the financial standing or solvency of the corporation or company.

SECTION II. Such corporation or joint stock company shall file a certificate with the Collector of Revenues, certifying that said corporation or joint stock company has consented to be sued in the Canal Zone upon all causes of action arising against it therein, and designating the Collector of Revenues, and his successors in office, to be its true and lawful attorney, upon whom all process in any such action may be served; and it shall agree that any lawful process against it served on such attorney shall constitute a valid service upon it, and that his authority shall continue in force so long as any liability against it remains outstanding in the Canal Zone.

Such power of attorney, and the vote authorizing its execution, duly certified and authenticated, shall be filed in the office of the Collector of Revenues, and a copy thereof, certified by him, shall be sufficient evidence thereof.

No corporation or joint stock company shall do business in the Canal Zone until such certificate is duly filed and the other provisions of this Order are complied with.

SECTION III. Upon compliance with the conditions set out in the foregoing section of this Order and the payment of an annual fee, in advance, of \$50.00, to the Collector of Revenues, he shall issue to such corporation or company a certificate authorizing it to do business within the Canal Zone. Such certificate, however, shall be terminable by the direction of the Chief Executive of the Canal Zone, but if terminated without fault upon the part of the corporation or joint stock company, a proportionate rebate of the license fee will be made to such corporation or company.

SECTION IV. Any agent or person representing a corporation or joint stock company who does business in the Canal Zone before such corporation or company has complied with the provisions of this Order shall be subject to a fine not exceeding \$25.00, or imprisonment in jail not exceeding thirty days, and each day's business so done by such agent or person shall be considered a separate offense for the purposes of this Order.

SECTION V. This Order shall not be held to modify the provisions of an Executive Order relating to insurance companies, dated March 12, 1907, effective July 1, 1907.³⁴⁵

SECTION VI. This Order shall take effect 60 days from the date of its publication in the *Canal Record*.³⁴⁶

THE WHITE HOUSE,
March 20th, 1913.

WOODROW WILSON

[No. 1752.]

Order of the President, Mar. 24, 1913, suspending the operation of the Executive Order of Feb. 26, 1913, providing a method of compensation for personal injuries to, or for the death of employees.

WHEREAS, an Executive Order was promulgated on February 26, 1913, providing a method of compensation for personal injuries to, or for the death of, employees of

³⁴⁵ p. 60. See also secs. 396-409 of Penal Code (L. C. Z. 158-161), relating to frauds in management of corporations, and secs. 367-373 of Code of Criminal Procedure (L. C. Z. 231), relating to proceedings against corporations.

³⁴⁶ Published in *The Canal Record* of Apr. 9, 1913.

the Isthmian Canal Commission and of the Panama Railroad Company,³⁴⁷ and no appropriation has been made available for the payment of compensation under the terms of such Order;

AND WHEREAS, the provisions for the payment of claims for injuries to, or for the death of, employees of the Isthmian Canal Commission and of the Panama Railroad Company, in force prior to the time of the promulgation of said Order of February 26, 1913, should continue until the Order just mentioned can be made effective;

By virtue of the authority vested in me,

IT IS ORDERED, That the operation of the said Order of February 26, 1913, is hereby suspended until further executive order or direction in the premises;

AND IT IS FURTHER ORDERED, That, until such further order or direction, payment of compensation for injuries to, or for the death of, employees of the Isthmian Canal Commission and of the Panama Railroad Company, occurring after February 28, 1913, shall, as before that date, continue to be made in accordance with the Act of Congress, approved May 30, 1908³⁴⁸ (35 Stat. 556), being "An Act Granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment," the Act of Congress, approved February 24, 1909,³⁴⁹ (35 Stat. 645), being "An Act Relating to injured employees on the Isthmian Canal," Section 5 of the Act of Congress, approved March 4, 1911,³⁵⁰ being "An Act Making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes," the laws of the Canal Zone, and the rules and regulations heretofore made in regard thereto.

WOODROW WILSON

THE WHITE HOUSE,
March 24, 1913.

[No. 1755.]

To provide Maritime Quarantine Regulations for the Canal Zone and the harbors of the cities of Panama and Colon, Republic of Panama.

Whereas the official opening of the Panama Canal will require revision of the maritime quarantine regulations for the Canal Zone and the harbors of the cities of Panama and Colon, Republic of Panama, and

Whereas the Government of the United States and the authorities of the Canal Zone are authorized to establish such rules and regulations for the ports and harbors of said cities, by virtue of the second paragraph of Article VII of the treaty between the United States and the Republic of Panama for the construction of the Isthmian Canal, signed November 18, 1903, which paragraph reads as follows:

"The Republic of Panama agrees that the cities of Panama and Colon shall comply in perpetuity with the sanitary ordinances whether of a preventive or curative character, prescribed by the United States and in case the Government of Panama is unable or fails in its duty to enforce this compliance by the cities of Panama and Colon with the sanitary ordinances of the United States the Republic of Panama grants to the United States the right and authority to enforce the same."

and section 6 of the Executive Order of December 3, 1904, known as the Taft Agreement made between the Secretary of War of the United States and the Chief Executive of the Republic of Panama, which section reads as follows:

"Section 6. This order also shall be inoperative unless the proper Governmental authorities of the Republic of Panama shall grant power to the authorities of the Canal Zone to exercise immediate and complete jurisdiction in matters of sanitation and quarantine in the maritime waters of the ports of Panama and Colon."

and Article I of Decree No. 66 of December 6, 1904, issued by the President of Panama, agreeably to said Executive Order, and published in the Official Gazette No. 70, of 1904, which article reads as follows:

"Article I. The authorities of the Canal Zone are empowered to exercise freely, immediate and complete jurisdiction in all matters of sanitation and quarantine in the waters of the ports of Panama and Colon. In consequence, the authorities of the Republic shall proceed in conformity with the provisions of this decree to the end that these may be strictly complied with."³⁵¹

³⁴⁷ p. 134. See notes thereunder citing further legislation on this subject.

³⁴⁸ T. & A. 49.

³⁴⁹ Ibid., 50.

³⁵⁰ Ibid., 64.

³⁵¹ See also sec. 19 of act No. 8 of the Commission (L. C. Z. 61), and act No. 10 of Commission relating to quarantine regulations for ports and harbors of the Canal Zone (L. C. Z. 86); and ordinance of the Commission of Aug. 22, 1911, relating to night quarantine inspection of vessels at port of Colon; the latter ordinance being repealed by Executive Order of Feb. 11, 1920, p. 266.

By virtue of the authority vested in me and in conformity with the foregoing treaty provisions and the Executive Order and Presidential Decree above mentioned, I hereby establish the following maritime quarantine regulations for the Canal Zone and for the harbors of the cities of Panama and Colon, Republic of Panama:³⁵²

BILLS OF HEALTH.

Section 1.—Masters of vessels clearing from any foreign port or from any port in the possessions or other dependencies of the United States for a port in the Canal Zone or for the ports of Panama or Colon, Republic of Panama, must obtain an original bill of health in duplicate from the officer or officers authorized by the quarantine laws and regulations of the United States to sign such certificates for vessels entering the ports of the United States.

The following form is prescribed for such bills of health:

Form No. ———

CANAL ZONE.

ORIGINAL BILL OF HEALTH

I, ——— (the person authorized to issue the bill, at the port of ———), do hereby state that the vessel hereinafter named clears from the port of ——— under the following circumstances:

Name of vessel, ———. Nationality, ———. Rig, ———. Master, ———. Tonnage, gross, ———; net, ———. Iron or wood, ———. Number of compartments for cargo, ———; For steerage passengers, ———. For crew, ———.

Name of medical officer, ———.

Number of officers, ———; of crew, including petty officers, ———; of passengers, first cabin, ———; second cabin, ———; steerage, ———. Officers' families, ———. Total number of persons on board, ———.

Passengers destined for the Canal Zone or the city of Panama or Colon, ——— first cabin, ——— second cabin, ——— steerage.

Previous port, ———.

Number of cases of sickness, and character of same, during last voyage, ———

Number of cases of sickness, and character of same, while vessel was in this port, ———.

Vessel engaged in ——— trade, and plies between ——— and ———.

Nature, sanitary history, and condition of cargo, ———.

Source and wholesomeness of water supply, ———.

Source and wholesomeness of food supply, ———.

Sanitary history and health of officers and crew, ———.

Sanitary history and health of passengers, cabin, ———.

Sanitary history and health of passengers, steerage, ———.

Sanitary history and condition of their effects, ———.

Location of vessel while in port—wharf, ———; open bay, ———; distance from shore ———.

Time vessel was in port, ———.

Character of communication with shore, ———.

Sanitary condition of vessel, ———.

Sanitary measures, if any, adopted while in port, ———.

Sanitary condition of port and vicinity, ———.

Prevailing diseases at port and vicinity, ———.

Malaria, ——— deaths during month of ———.

Number of cases and deaths from the following-named diseases during the past two weeks, ending ———.

Diseases	No. of cases	No. of deaths
Yellow fever		
Asiatic cholera		
Cholera nostras or cholerine		
Smallpox		
Typhus fever		
Plague		
Leprosy		

³⁵² See notes on last section of this order *in re* further legislation on this subject.

Remarks.

Any condition affecting the public health existing in the port of departure or vicinity to be here stated.

When there are no cases or deaths, entry to that effect must be made.

I certify ³⁵³ that the vessel has complied with the Quarantine Rules and Regulations made under the act of February 15, 1893, and that the vessel leaves this port bound for _____, Canal Zone, or _____, Republic of Panama, via _____.

Given under my hand and seal this _____ day of _____, 191—.

(Signature of Consular Officer)_____

(SEAL)

Section 2.—Vessels clearing from any foreign port or from any port in the possessions or other dependencies of the United States for a port in the Canal Zone or for the port of Panama or Colon, Republic of Panama, and entering or calling at intermediate ports, must procure at all said ports a supplemental bill of health in duplicate, from the officer or officers authorized by the quarantine laws and regulations of the United States to sign such certificates for vessels entering the ports of the United States. If a quarantinable disease has appeared on board the vessel after leaving the original port of departure, or other circumstances presumably render the vessel infected, the supplemental bill of health should be withheld until such sanitary measures have been taken as are necessary.

The following form is prescribed for supplemental bills of health:

CANAL ZONE

SUPPLEMENTAL BILL OF HEALTH

Vessel _____, bound from _____ to _____, Canal Zone, or _____, Republic of Panama. Port of _____.

Sanitary condition of port and vicinity _____.

Prevailing diseases at port and vicinity _____.

Malaria _____ deaths during the month of _____.

Number of cases and deaths from the following-named diseases during the past two weeks, ending _____.

Diseases	No. of cases	No. of deaths	Remarks. (Any condition affecting the public health existing in the port to be stated here. When there are no cases, or deaths, entry to that effect must be made.)
Yellow fever Asiatic cholera Cholera nostras, or cholerae Smallpox Typhus fever Plague Leprosy			

Number and sanitary condition of passengers and crew landed at this port:

First cabin, No. _____; sanitary history and condition, _____.

Second cabin, No. _____; sanitary history and condition, _____.

Steerage, No. _____; sanitary history and condition, _____.

Crew, No. _____; sanitary condition and history, _____.

NOTE.—If any passenger or member of crew disembarked on account of sickness, state disease.

Number and sanitary condition of passengers and crew taken on at this port, and sanitary condition of effects:

First cabin, No. _____; sanitary condition and history, _____.

Second cabin, No. _____; sanitary condition and history, _____.

Steerage, No. _____; sanitary condition and history, _____.

Number of passengers for Canal Zone: _____ first cabin, _____ second cabin, _____ steerage.

³⁵³ See amendments by Executive Orders of Aug. 14, 1914, p. 197, and of Jan. 11, 1915, p. 206.

Number of passengers for Republic of Panama: _____ first cabin, _____ second cabin, _____ steerage.
 Crew, No. _____; sanitary condition and history, _____.
 Sanitary condition of effects, _____.
 Total passengers on board, _____; total crew on board, _____.
 Sanitary measures, if any, adopted while in port, _____.
 Location of vessel while in port—wharf, _____; open bay, _____; distance from shore, _____.
 Time vessel was in port, _____.
 Character of communication with shore, _____.
 Nature, sanitary history, and condition of cargo taken on at this port, _____.

(Cancel Form A, B, or C, as the case requires)

Form.

(Form A will be used at intermediate ports where the vessel does not enter.)

A—To the best of my knowledge and belief—

B—I have satisfied myself that—

no quarantinable disease has appeared aboard since leaving _____.

C—Since leaving _____, the following quarantinable disease has appeared on board _____, and I certify that the necessary sanitary measures have been taken.
 I certify also that with reference to the passengers, effects, and cargo taken on at this port, the vessel has complied with the rules and regulations ³⁵⁴ made under the act of February 15, 1893.

Given under my hand and seal this _____ day of _____ 191—.

(Signature of consular officer:)

(SEAL)

Section 3.—The master of a vessel entering the ports of the Canal Zone or the ports of Panama and Colon, Republic of Panama, from any port of the United States, must present to the Quarantine Officer and to the Customs Officer of the Canal Zone, or his authorized agent, each a bill of health signed by the customs officer of the port of the United States from which said vessel sails.

FOREIGN REGULATIONS.

INSPECTION OF VESSELS FROM FOREIGN PORTS AND PORTS IN THE DEPENDENCIES OF THE UNITED STATES.

Section 4.—The officer issuing the bill of health shall satisfy himself, by inspection if necessary, that the conditions certified to therein are true, and is authorized to withhold the bill of health or the supplemental bill of health until he is satisfied that the vessel, the passengers, the crew, and the cargo have complied with these regulations.

Section 5.—Inspection is required of—

(a) All vessels from ports in which cholera, yellow fever, or plague in men or rodents prevails, or at which smallpox or typhus fever prevails in epidemic form, and at which a medical officer is detailed.

(b) All vessels carrying steerage passengers; but need only include the inspection of such passengers and their living apartments, if sailing from a healthful port.

(c) Inspection of the vessel is such an examination of the vessel, cargo, passengers, crew, personal effects of same, including examination of manifests and other papers, food and water supply, the ascertainment of its relations with the shore, the manner of loading and possibilities of invasion by rats and insects as will enable the inspecting officer to determine if these regulations have been complied with.

(d) When an inspection is required, it should be made by daylight, as late as practicable before sailing. The vessel should be inspected before the passengers go aboard, the passengers just before embarkation, and the crew on deck, and no communication should be had with the vessel after such inspection except by permission of the officer issuing the bill of health.

³⁵⁴ Amended to read "Quarantine Rules and Regulations of The Panama Canal" by par. 2 of Executive Order of Aug. 14, 1914, p. 197.

GENERAL REQUIREMENTS.

Section 6.—Vessels, prior to stowing cargo or receiving passengers, should be mechanically clean in all parts, especially the hold, forecastle and steerage.

Section 7.—Any portions of the vessel liable to have been infected by any communicable disease should be disinfected before the issuance of the bill of health.

Section 8.—Street sweepings, city cleanings, or anything containing organic refuse should not be taken as ballast from any port.

Section 9.—Bedding, upholstered furniture, soiled wearing apparel, personal effects and secondhand articles of a similar nature, coming from a district known to be infected with cholera, smallpox, typhus fever, or as to the origin of which no positive evidence can be obtained, and which the consular or medical officer has reason to believe are infected, should be disinfected prior to shipment. In the case of typhus fever, the destruction of vermin should be assured. Articles similar to the above-mentioned, if from a district infected by plague, should be inspected, and, if necessary, disinfected and treated to destroy vermin.

Section 10.—Articles from an uninfected district shipped through an infected port may be accepted without restriction if not exposed to infection in transit.

Section 11.—Any article shipped from or through an infected port or place, and which the consul or medical officer has reason to believe infected, should be disinfected.

Section 12. Any article presumably infected, which can not be disinfected, should not be shipped.

Section 13.—Passengers, for the purpose of these regulations, are divided into two classes, cabin and steerage. (a)

Section 14.—So far as possible passengers should avoid embarking at a port where quarantinable disease prevails, and communication between the vessel and the shore should be reduced to a minimum. In such a port the personnel of the vessel should remain on board during their stay.

Vessels carrying passengers from any port where quarantinable disease prevails in epidemic form should have a medical officer.

Section 15.—No person suffering from a quarantinable disease, or scarlet fever, measles, diphtheria, or other communicable disease, should be allowed to ship.

Section 16.—All baggage of steerage passengers destined for the Canal Zone, or the ports of Panama or Colon, Republic of Panama, should be labeled. If the baggage is in good sanitary condition, the label shall be a red label bearing the name of the port, the vessel on which the baggage is to be carried, the word "passed" in large type, the date of inspection, and the seal or stamp of the consular or medical officer of the United States. All baggage that has been disinfected shall bear a yellow label, upon which shall be printed the name of the port, the vessel upon which the baggage is to be carried, the word "disinfected" in large type, the date of disinfection, and the seal or stamp of the consular or medical officer of the United States. It is understood, and it will be so printed on the blank, that the label is not valid unless bearing the consular or medical officer's stamp or seal.³⁵⁵

Section 17.—Each steerage passenger shall be furnished with an inspection card as follows. This card, stamped by the consular or medical officer, is to be issued to every member of a family as well as to the head thereof, and shall be in the following form:

Inspection Card
(Immigrants and steerage passengers)

Port of departure ———. Date of departure ———.
Name of ship ———. Last permanent residence ———.
Name of immigrant ———.

Inspected and passed at	Passed at quarantine, port of	Vaccinated (Signature or stamp)
(Seal or stamp of consular or medical officer)	Canal Zone (or)	
	Republic of Panama	
	(Date)	

(a) The sanitary measures applicable to second-cabin passengers will be those designated for first cabin passengers or for steerage passengers, according as the arrangements of their quarters and accommodations aboard, both sanitary and for association, class them in the opinion of the inspecting officer with the first cabin or steerage.

³⁵⁵ Sec. 16, amended by par. 4 of Executive Order of Aug. 14, 1914, p. 197.

(The following to be filled in by ship's surgeon or agent prior to or after embarkation)
Ship's list or manifest ———. No. on ship's list or manifest ———.

Berth No.	Steamship inspection	To be punched by ship's surgeon at daily inspection.
	Days.	
	1st, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14	

Section 18.—Passengers and crews, merchandise and baggage, prior to shipment at a noninfected port, but coming from an infected locality, should be subject to the same restrictions as are imposed at an infected port.

Local inspection of vessels.

Section 19.—Vessels arriving at any of the ports of the Canal Zone or the cities of Panama and Colon, Republic of Panama, under the following conditions, shall be inspected by the quarantine officer of the port prior to entry:

(a) Vessels from the United States; (b) Vessels from foreign ports; (c) Vessels with sickness aboard; (d) Vessels from Panamanian ports where any quarantinable disease prevails; (e) Vessels from Panamanian ports carrying passengers or articles suspected by the quarantine officer as being capable of conveying the infection of a transmissible disease.³⁵⁶

Section 20.—The limits of anchorage of vessels awaiting inspection and of vessels undergoing quarantine, shall be fixed from time to time by the Chief Sanitary Officer of the Canal Zone.

Section 21.—Every vessel subject to quarantine inspection shall be considered in quarantine until granted free pratique, and such vessels shall fly a yellow flag from the foremast head from sunrise to sunset and shall observe all the other requirements of vessels actually quarantined.

Section 22.—The captain or master of a vessel in quarantine shall allow no communication with his vessel except as provided for in these regulations, nor shall any water craft approach within 200 meters of any such vessel.

Section 23.—No person or article shall be allowed to leave a vessel in quarantine without written authority from the quarantine officer.

Section 24.—Towboats, or any vessel or boat having had communication with a vessel in quarantine shall be submitted, with their personnel, to such measures of sanitation as the quarantine officer may judge to be necessary.

Section 25.—No person, except such officers of the port as are required to do so by the nature of their duties, and the agent of the vessel, if such agent has the consent of the quarantine officer, shall go aboard any vessel subject to quarantine until such vessel has been granted free pratique. Any person going aboard prior to the issuance of free pratique shall be subject to the same restrictions as the personnel of the vessel, if, in the opinion of the quarantine officer, this is necessary for the protection of the public health.

Section 26.—The quarantine officer, after his inspection of the vessel and its documents, shall decide whether said vessel, or its personnel, or passengers, or any article aboard said vessel is liable to convey any of the following diseases: plague; yellow fever, cholera, small-pox, typhus fever or leprosy; and, if so, such vessel shall be placed in quarantine and forbidden entry until the period of incubation of such diseases is past, and he shall take such measures in respect to the vessel, its passengers or personnel or cargo as, in his judgment, may be required to prevent the entry of such diseases into the Canal Zone or the cities of Panama and Colon, Republic of Panama.³⁵⁷

Section 27. Passengers boarding vessels from ports subject to quarantine will be required, in the discretion of the Chief Sanitary Officer of the Canal Zone, to present personal certificates from the officer authorized by these regulations to sign bills of health, certifying to their sanitary history and condition, provided due notice has been issued to the agents of the steamship companies on the Isthmus of Panama.

Section 28.—Every case of sickness aboard any vessel in the harbor shall be immediately reported by the master of the vessel to the quarantine officer, who shall see the case and take such sanitary measures as may be necessary.

Section 29.—The Chief Quarantine Officer shall have charge of the sanitation of the harbors and vessels lying therein and shall see that such measures are enforced as are necessary for the proper hygiene of vessels, their cargoes, and their personnel, whether

³⁵⁶ 2d par., sec. 19, amended by Executive Order of Aug. 14, 1914, p. 197.

³⁵⁷ Sec. 26, amended by par. 6 of Executive Order of Aug. 14, 1914, p. 197.

in port or en route, and to prevent the vessels from being a source of danger to other vessels or to the port, and he is authorized to certify bills of health to vessels clearing from ports under his jurisdiction, setting forth in such bill of health the conditions of the port, vessel, cargo, passengers and crew; and is authorized at the request of the master of any vessel to disinfect and otherwise place such vessel in a sanitary condition so that it may leave the port in free pratique and be able to make entry at the port of destination without further disinfection or detention in quarantine.

Section 30.—The quarantine officer shall make such charges for the disinfection of vessels and their cargoes, and for the transportation and subsistence of passengers while in quarantine as may be fixed from time to time by the Governor of the Canal Zone.³⁵⁸

Section 31.—A certificate from the quarantine officer that a vessel has complied with all the quarantine regulations shall be required of every vessel subject to inspection, as a pre-requisite for customs entry or passage through the Canal.

Section 32.—Quarantine stations shall be established and maintained at such places as may be decided upon by the Chief Sanitary Officer of the Canal Zone, with the approval of the Governor.

Persons detained in quarantine under these regulations shall not be permitted to go outside the limits of the quarantine station until discharged therefrom by the quarantine officer and if any such person shall leave the quarantine station without being duly discharged therefrom he may be taken into custody by the quarantine officers wherever found and returned to the quarantine station and, in addition, he may be punished as hereinafter described.

No person except the Chief Sanitary Officer of the Panama Canal or his representative, the quarantine officers and employees and personnel of the station shall be permitted to enter in or upon a quarantine station without permission from the Chief Sanitary Officer or the Chief Quarantine Officer of the Panama Canal.

Section 33.—The Governor of the Panama Canal may establish from time to time such rules and regulations as he may deem necessary to execute this order.³⁵⁹

Section 34.—Any person violating any of the provisions of these regulations shall be punished by a fine not exceeding \$500.00, or by imprisonment in jail not exceeding 90 days, or both, at the discretion of the Court.³⁶⁰

Section 35.—The medical officers of the Canal Zone, duly clothed with authority to act as quarantine officers at any port or place within the Canal Zone, and the ports of the cities of Panama and Colon, Republic of Panama, and when performing the said duties, are hereby authorized to administer oaths and take declarations thereunder in matters relating to the administration of the quarantine laws and regulations of the Canal Zone Government.

Section 36.—These regulations shall take effect from and after the date upon which the Panama Canal is officially and formally opened for use and operation, by proclamation of the President of the United States.³⁶¹

THE WHITE HOUSE,
15 April, 1913.

[No. 1761.]

WOODROW WILSON

Order of the President, June 30, 1913, amending the Executive Order of Feb. 6, 1908, providing for jury trials in the Canal Zone.

Under authority vested in me by law, it is ordered:

That paragraph 1 of Executive Order No. 750, dated February 6, 1908, providing for jury trials in the Canal Zone,³⁶² is hereby amended to read as follows:

1. In all criminal prosecutions in the Canal Zone for felonies, the accused shall enjoy the right of trial by an impartial jury of the District in which the crime shall have been committed, to be chosen as follows:

This Order shall take effect on and after July 4, 1913.

THE WHITE HOUSE,
June 30, 1913.

[No. 1792.]

WOODROW WILSON

³⁵⁸ Executive Order of Feb. 11, 1920, p. 266, amplifies this section.

³⁵⁹ See the 626 series of Governor's Circulars.

³⁶⁰ Sec. 34, amended by Executive Order of Aug. 14, 1914, p. 197 (Par. VII), providing that the punishment prescribed shall be imposed by the District Court of the Canal Zone.

³⁶¹ By sec. 13 of Executive Order of Feb. 6, 1917, p. 220, the above order of Apr. 13, 1913, as amended, was reenacted and made effective as of Feb. 6, 1917. The above order and all laws, orders and regulations, or parts thereof, in conflict, are repealed by new regulations established by Executive Order of Mar. 31, 1920, p. 268.

³⁶² p. 138. That order only provided for jury trial where penalty of death or life imprisonment might be imposed. See notes thereunder relating to further legislation on subject of jury trials.

TO PROHIBIT THE UNAUTHORIZED USE OF FLYING MACHINES.

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

Section 1. It shall be unlawful for any person to operate an aeroplane, balloon or flying machine of any kind in or across the Canal Zone without the written authority of the Chief Executive of the Canal Zone.

Section 2. It shall be unlawful for any person to take or make a photograph, picture or sketch of any kind of the fortifications or other military works in the Canal Zone from any aeroplane, balloon or flying machine of any kind without the written consent of the Chief Executive of the Canal Zone.

Section 3. A violation of any of the provisions of this order shall be punishable by a fine not exceeding One Thousand dollars or by imprisonment in jail not exceeding one year, or by both such fine and imprisonment in the discretion of the Court.

Section 4. This order shall take effect on and after thirty days from its publication in the Canal Record.³⁶³

WOODROW WILSON

THE WHITE HOUSE,
7 August, 1913.

[No. 1810.]

Order of the President, Aug. 9, 1913, appointing Richard Lee Metcalfe a member of the Isthmian Canal Commission.³⁶⁴

Richard Lee Metcalfe is hereby appointed a member of the Isthmian Canal Commission at the rate of Fourteen Thousand Dollars (\$14,000.00) per annum, effective this date.

Commissioner Metcalfe will be allowed the use of a furnished dwelling house on the Isthmus of Panama and will be allowed and paid his actual and necessary expenses while away from the Isthmus on official business.

WOODROW WILSON

THE WHITE HOUSE,
August 9, 1913.

[No. 1812.]

RELATING TO BAIL BONDS AND MONEY DEPOSITS IN LIEU THEREOF AND TO AMEND SECTION 310 OF CRIMINAL PROCEDURE OF THE CANAL ZONE.

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone:

Section 1. The defendant in a criminal proceeding before a District Court of the Canal Zone may make a cash deposit in lieu of a bail bond in form and manner as provided for in sections 305, 306 and 307³⁶⁵ of the Criminal Procedure Act No. 15 of the Canal Zone, and a certificate of deposit shall be issued to the defendant by the judge in each case.

Section 2. Whenever a warrant is issued by any court or judge of the Canal Zone in a case in which bail may be admitted, the court or judge issuing such warrant shall endorse thereon the amount of bail³⁶⁶ to be required of the defendant to secure his appearance in the case, and the officer executing the warrant may accept a bail bond or money deposit in lieu thereof in the sum specified in the warrant, and in the form prescribed by law, and the bail bond or money deposit in lieu thereof shall be forthwith delivered to the court having jurisdiction of the case, and a receipt for such bond or deposit shall be given to such officer by the clerk of the court, or the judge thereof if the case is pending in a district court.

³⁶³ Published in *The Canal Record* of Aug. 20, 1913. See also Proclamation of President of Feb. 28, 1918, p. 237, relating to aircraft in war time. That Proclamation was repealed by Proclamation of July 31, 1919, p. 254, but the Executive Order of Aug. 7, 1913, has never been repealed.

³⁶⁴ See notes under Order of Apr. 1, 1907, p. 64, relating to Commissioners who served as Head of the Department of Civil Administration.

³⁶⁵ L. C. Z. 220.

³⁶⁶ See secs. 21-22, Code of Criminal Procedure (L. C. Z. 176), *in re* warrant of arrest and admission to bail, the amount stated for misdemeanors not to exceed \$500, and see also Title X of Criminal Procedure on admission to bail. See also order of Dec. 30, 1921, p. 293.

When an arrest is made without a warrant in conformity with law in a misdemeanor case, and for any reason the officer making the arrest is unable to take the offender forthwith before a magistrate, he may accept bond or a cash deposit in lieu thereof from the offender in a sum not exceeding five hundred dollars to secure his appearance before the court having jurisdiction of the case, and the offender shall then be released from custody and the bond or cash deposit in lieu thereof shall be delivered to the proper officer or court as hereinbefore provided for in this section.³⁶⁷

When a money deposit is made in lieu of bail bond, the deposit shall be held and disposed of in accordance with the provisions of sections 305, 306, 307 and 311³⁶⁸ of the Criminal Procedure of the Canal Zone, and section 310 thereof, as hereinafter amended.

Section 3. That section 310 of the Criminal Procedure of the Canal Zone is amended to read as follows:

Section 310. If money has been deposited instead of bail, and the defendant, at any time before the forfeiture thereof, surrenders himself to the officer to whom the commitment was directed, in the manner provided in the two preceding sections, the court must order a return of the deposit to the defendant, upon producing the certificate of the officers showing the surrender, and upon a notice of five days to the Prosecuting Attorney, with a copy of the certificate.

Section 4. This Order shall take effect from and after its publication in the Canal Record.³⁶⁹

WOODROW WILSON

THE WHITE HOUSE,
29 Aug., 1913.

[No. 1817.]

Order of the Secretary of War, Sept. 20, 1913, retaining Lieut.-Col. D. DuB. Gaillard, Corps of Engineers, U. S. Army, as a member of the Isthmian Canal Commission and granting him leave of absence with full pay on status of sick leave.

Lieutenant-Colonel D. DuB. Gaillard,³⁷⁰ Corps of Engineers, U. S. A., Member of the Isthmian Canal Commission now on leave of absence will be retained as a Member of the Isthmian Canal Commission and is hereby granted leave of absence with full pay on status of sick leave until further notice.

By direction of the President:

LINDLEY M. GARRISON,
Secretary of War.

WAR DEPARTMENT,
September 20, 1913.

TO PUNISH DEPORTED PERSONS WHO RETURN TO THE CANAL ZONE.

By virtue of the authority vested in me I hereby establish the following Order for the Canal Zone:

Section 1. Any person who, after having served a sentence of imprisonment in the Canal Zone, and after being deported therefrom, returns to the Canal Zone shall be deemed guilty of felony and punished by imprisonment in the penitentiary for a term of not less than six months nor more than two years, and upon the completion of his sentence he shall be removed from the Canal Zone in accordance with the laws and orders relating to deportation. An entry into the Canal Zone, for any purpose, shall be sufficient to constitute a return to the Zone within the meaning of this Order; provided, however, that in a case of necessity the Chief Executive of the Canal Zone, in his discretion, may grant a permit to any such person to return to the Canal Zone temporarily, but should he remain in the Canal Zone after the time specified in the permit he shall be deemed guilty of a violation of this Order and punished as therein provided.

³⁶⁷ See also Executive Order of Nov. 7, 1908, p. 85, relating to bail bond, or cash deposit in lieu thereof, on appeals from judgment of the (former) District Court.

³⁶⁸ L. C. Z. 220.

³⁶⁹ Published in *The Canal Record* of Sept. 17, 1913.

³⁷⁰ Appointed Commissioner by Executive Order of Mar. 16, 1907, p. 63. See notes thereunder relative to his service.

Section 2. The Executive Order of May 2, 1911, providing a punishment for deported persons who return to the Canal Zone is hereby repealed.³⁷¹

Section 3. This order shall take effect thirty days from and after its publication in the Canal Record.³⁷²

WOODROW WILSON

THE WHITE HOUSE,
25 Sept., 1913.

[No. 1832.]

TO REGULATE THE CARRYING OF ARMS.³⁷³

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

Section 1. Anyone who carries on or about his person any firearm, dirk, dagger or other knife manufactured or sold for the purpose of offence or defence, or any slung-shot, sword-cane, or any knuckles made of metal or other hard substance, shall be punished by fine of not less than Five Dollars nor more than Twenty-five Dollars, or by imprisonment in jail of not less than five days nor more than thirty days, or by both such fine or imprisonment in the discretion of the court, and during such time of imprisonment such offender may be put to work upon any public work in the Canal Zone.

In addition to the punishment herein prescribed for unlawfully carrying arms, the courts shall adjudge the seizure and confiscation of the arms unlawfully carried by the offending party and the same shall be disposed of in such manner as the Head of the Department of Civil Administration shall determine.

Section 2. The preceding section shall not apply to a person engaged in the military or naval service of the United States or as a peace officer or officer authorized to execute judicial process of the United States or the Canal Zone, or in carrying mail or engaged in the collection or custody of funds of the United States or the Canal Zone, nor to a member of a gun or pistol club for the promotion of target practice, a certified copy of the constitution and by-laws of which have been approved by the Head of the Department of Civil Administration, and filed with the Collector of Revenues, when such member is going to or from a target range, and engaged in practice at the target range. For the purposes of this order, a certificate of membership in the gun or pistol club shall be issued by the organization and approved by the Head of the Department of Civil Administration, and shall entitle the holder to carry firearms as provided for in this section.

Neither shall the preceding section apply to any person authorized to have or carry arms by permit granted under the terms and conditions named in section 3 hereof.

Section 3. The Head of the Department of Civil Administration may authorize the granting of permits to have and carry arms as follows:

1. To hunt upon the public lands of the Canal Zone, or upon the lands of private persons when authorized by the latter.

2. To have arms in residences, offices, business places and plantations; and to watchmen or overseers of plantations, factories, warehouses, docks or piers.

Applications for such permits shall be made to the Head of the Department of Civil Administration and shall state the full name, residence and occupation of the applicant, and if the applicant is a minor it shall not be granted without the written consent of his parent or guardian.

The Head of the Department of Civil Administration shall satisfy himself by due inquiry that the applicant is a proper person to have a permit to keep or carry arms, and he may grant or deny the application as to him may seem proper.

When an application is granted by the Head of the Department of Civil Administration for a permit to hunt he shall file the application, with his approval endorsed thereon, with the Collector of Revenues, who shall issue a permit to the applicant upon his paying the Collector of Revenues a fee of one dollar, to be covered into the Treasury of the Canal Zone Government.

³⁷¹ See notes under that order, p. 107. See also Executive Order of Feb. 6, 1917, p. 220, relating to exclusion of undesirables.

³⁷² Published in *The Canal Record* of Oct. 15, 1913.

³⁷³ Repealed and substituted by Executive Order of Mar. 6, 1920, p. 267.

The hunting permits issued by virtue of this order shall authorize the holders thereof to have, use or carry a gun, rifle or other similar long arm for hunting purposes during the fiscal year for which the permit is issued, provided, however, that such permit may be revoked at any time for cause by the Head of the Department of Civil Administration.

Section 4. Anyone who engages in hunting without first obtaining the permit provided for in this order shall be subject to a fine not exceeding Twenty-five dollars or imprisonment in jail not exceeding ten days, provided, however, that persons engaged in the land or naval forces of the United States shall not be required to obtain a permit to hunt upon the public lands of the Canal Zone.

Section 5. Penalties for infringements of this order imposed upon intoxicated or disorderly persons shall be in addition to the punishments authorized by law for such intoxicated or disorderly conduct.

Section 6. Sections 449 to 460, both inclusive, of the Penal Code,³⁷⁴ the Executive Order of December 1, 1909,³⁷⁵ issued by the Secretary of War by authority of the President, amending Sections 450 and 456 of the Penal Code, and the Executive Order of the Secretary of War, issued by authority of the President, dated November 3, 1911,³⁷⁶ amending Section 456 of the Penal Code as amended by the Executive Order above mentioned, and all other laws, orders and decrees in conflict with this order are hereby repealed.

Section 7. This order³⁷⁷ shall take effect thirty days from and after its publication in the *Canal Record*.³⁷⁸

WOODROW WILSON

THE WHITE HOUSE,
7 November, 1913.

[No. 1857.]

Fixing the Rate of Interest on Money.³⁷⁹

By virtue of the authority vested in me I hereby establish the following Executive Order for the Canal Zone:

Section I. No rate of interest shall be allowed in excess of six per centum per annum upon any contract for the use or detention of money, unless the same is in writing and the interest agreed upon must not exceed twelve per centum per annum.

Section II. All contracts whatsoever which may in any way, directly or indirectly, violate the preceding section by stipulating for a greater rate of interest than twelve percentum per annum, shall be void and of no effect for the amount or value of the interest only; but the principal sum of money or value of the contract may be received and recovered.

Section III. When the interest received or collected for the use or detention of money exceeds the rate of twelve percentum per annum, it shall be deemed to be usurious, and the person or persons paying the same, or their legal representatives, may recover from the person, firm or corporation receiving such interest, the amount of the interest so received or collected, in any court of competent jurisdiction, within two years from the date of the payment of such interest.

Section IV. No evidence of usury shall be received on the trial of any case unless the same shall be pleaded and verified by the affidavit of the party wishing to avail himself of such defense.

Section V. This Order shall take effect thirty days from and after its publication in the *Canal Record*.³⁸⁰

WOODROW WILSON

THE WHITE HOUSE,
11 Nov., 1913.

[No. 1860.]

³⁷⁴ L. C. Z. 168-171.

³⁷⁵ p. 95.

³⁷⁶ p. 121.

³⁷⁷ Repealed by Order of Mar. 6, 1920, p. 267.

³⁷⁸ Published in *The Canal Record* of Nov. 26, 1913.

³⁷⁹ See secs. 236-241, Penal Code (L. C. Z. 130), relating to pawnbrokers.

³⁸⁰ Published in *The Canal Record* of Nov. 26, 1913.

(Rules for the measurement of Vessels for the Panama Canal.)

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

I, WOODROW WILSON, President of the United States of America, by virtue of the power and authority vested in me by the Act of Congress, approved August twenty-fourth, nineteen hundred and twelve, to provide for the opening, maintenance, protection and operation of the Panama Canal and the sanitation and government of the Canal Zone,³⁸¹ do hereby prescribe and proclaim the "Rules for the Measurement of Vessels for the Panama Canal,"³⁸² which are annexed hereto and made a part of this proclamation.

a Note.—The Rules for the Measurement of Vessels for the Panama Canal are published in a separate pamphlet with this Proclamation.³⁸³

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-first day of November in the year of our Lord one thousand nine hundred and thirteen and of the independence [SEAL] of the United States the one hundred and thirty-eighth.

WOODROW WILSON

By the President:

W. J. BRYAN

Secretary of State.

[No. 1258.]

Order of the Secretary of War, Jan. 20, 1914, fixing the total compensation to be paid Prof. Emory R. Johnson, and directing the Isthmian Canal Commission to provide funds needed in the execution of this order.

By direction of the President, it is ordered that the total compensation of Professor Emory R. Johnson, who was appointed a Special Commissioner by Executive Order, dated September 1, 1911,³⁸⁴ is hereby fixed at Twenty-five Thousand, Three Hundred Dollars (\$25,300), from which shall be deducted any payments on account of actual expenses and per diem heretofore made to him under the provisions of the Executive Order of September 1, 1911, such compensation covering the period from September 1, 1911, to October 4, 1913, inclusive.

The Isthmian Canal Commission is directed to provide the funds needed in the execution of this order.

LINDLEY M. GARRISON
*Secretary of War.*WAR DEPARTMENT,
January 20, 1914.To Prevent the Corrupt Influencing of Agents, Employees or Servants.³⁸⁵

By virtue of the authority vested in me I hereby establish the following Executive order for the Canal Zone:

Section 1. It shall be unlawful for any person to give, offer or promise to an agent, employee or servant, any gift or gratuity whatever without the knowledge and consent of the principal, employer or master of such agent, employee or servant with intent to influence his action in relation to the business of his principal, employer, or master; or for any agent, employee or servant, without the knowledge and consent of

³⁸¹ See sec. 5, Panama Canal Act (T. & A. 79).

³⁸² Report on subject of measurements made by Special Commissioner Johnson to Secretary of War under Executive Order of Sept. 1, 1911, p. 116.

³⁸³ Also published as Governor's Circular No. 601-2. See also circulars 660-50, and 673, relating to this subject. See also Proclamation of Nov. 13, 1912, relating to Panama Canal toll rates, p. 132 hereof; Executive Order of July 9, 1914, p. 194, authorizing members of Board of Admeasurement to administer oaths, obtain process through District Court, etc.; Executive Order of Nov. 16, 1914, p. 205, authorizing passing vessels through Canal (to save delay without certificate of admeasurement); Executive Order of Mar. 4, 1919, p. 251, amending form of certificate.

³⁸⁴ See notes under that order, p. 116, citing reports made by Professor Johnson. See also Proclamation of Nov. 21, 1913, p. 154, of rules and regulations governing measurements of ships going through the Panama Canal.

³⁸⁵ See Title V of Penal Code (L. C. Z. 101) relating to conspiracy, and Governor's Circular No. 606-1, relating to gifts, presentations, and solicitation of contributions.

his principal, employer or master, to request or accept a gift, or gratuity, or the promise of any gift or gratuity whatever beneficial to himself, under an agreement or with an understanding that he shall act in any particular manner in respect to the business of his principal, employer, or master; or for any agent, employee or servant authorized to procure materials, supplies or other articles either by purchase or contract for his principal, employer or master, or to employ servants or labor for his principal, employer or master, to request or accept or agree to accept, for himself or another, directly or indirectly, a commission, discount or bonus from the person who makes the sale or contract, or furnishes such materials, supplies or articles or from the person who renders such service or labor; or for any person to give or offer to such agent, employee, or servant such commission, discount or bonus.

A violation of any of the provisions of this order shall be punished by a fine of not less than ten dollars nor more than five hundred dollars, or by imprisonment in jail for not more than one year, or both such fine and imprisonment in the discretion of the Court.

Section 2. This order shall take effect thirty days from and after its publication in the Canal Record.³⁸⁶

WOODROW WILSON

THE WHITE HOUSE,
21 January, 1914.

To Prevent Fire-Hunting at Night, and Hunting by Means of a Spring or Trap, and to Repeal the Executive Order of Sept. 8, 1909.

By virtue of the authority vested in me I hereby establish the following order for the Canal Zone.

Section 1. Every person who shall hunt at night, between the hours of sunset and sunrise, with the aid or use of a lantern, torch, bonfire, or other artificial light, or who shall hunt by the use of a gun or other firearm intended to be discharged by an animal or bird, by means of a spring or trap, or other similar mechanical device, shall be guilty of a misdemeanor.

The penalties imposed by this Order shall be in addition to the punishments authorized by the law against carrying arms without a permit.³⁸⁷

Sec. 2. The Executive Order of September 8, 1909,³⁸⁸ amending Section 454 of the Penal Code of the Canal Zone is hereby repealed.

Sec. 3. This order shall take effect thirty days from and after its publication in the Canal Record.³⁸⁹

WOODROW WILSON

THE WHITE HOUSE,
27 January, 1914.

[No. 1884.]

To Establish a Permanent Organization for the Panama Canal.³⁹⁰

By virtue of the authority vested in me, I hereby enact the following order, creating a permanent organization for the Panama Canal, under the Act of Congress "To provide for the opening, maintenance, protection and operation of the Panama Canal and the sanitation and government of the Canal Zone," approved August 24, 1912.³⁹¹

SECTION 1. The organization for the completion, maintenance, operation, government and sanitation of the Panama Canal and its adjuncts and the government of the Canal Zone shall consist of the following departments, offices and agencies, and such others as may be established by the Governor of the Panama Canal on the Isthmus or elsewhere with the approval of the President, all to be under the direction of the Governor, subject to the supervision of the Secretary of War.

DEPARTMENT OF OPERATION AND MAINTENANCE.

There shall be a Department of Operation and Maintenance under the immediate supervision and direction of the Governor of the Panama Canal. This Department shall be charged with the construction of the Canal and with its operation and

³⁸⁶ Published in *The Canal Record* of Feb. 4, 1914.

³⁸⁷ See Executive Order of Mar. 6, 1920, p. 267, relating to carrying and keeping arms, which repealed order of Nov. 7, 1913, p. 152, on same subject.

³⁸⁸ p. 91. Secs. 449 to 460 of Penal Code were repealed by order of Nov. 7, 1913, p. 152.

³⁸⁹ Published in *The Canal Record* of Feb. 11, 1914.

³⁹⁰ See generally the 660 series of Governor's Circulars *in re* general and separate organizations.

³⁹¹ Sec. 4, Panama Canal Act (T. & A. 79).

maintenance when completed, including all matters relating to traffic of the Canal and its adjuncts, and the operation and maintenance of beacons, lights and light-houses; the supervision of ports and waterways, including pilotage; the admeasuring and inspecting of vessels, including hulls and boilers; the operation and maintenance of the Panama Railroad³⁹² upon the Isthmus, including telephone and telegraph systems; the operation of locks, coaling plants, shops, dry-docks and wharves; office engineering, including meteorology and hydrography; the construction of buildings and sanitary and municipal engineering, including the construction and maintenance of drainage ditches, streets, roads and bridges.

PURCHASING DEPARTMENT.

There shall be a Purchasing Department³⁹³ under the supervision and direction of the Governor. This department shall be charged with the purchase of all supplies, machinery or necessary plant.

SUPPLY DEPARTMENT.

There shall be a Supply Department, under the supervision and direction of the Chief Quartermaster. This department shall store and distribute all material and supplies for use of the Panama Canal and of its employees; and for other departments of the Government on the Isthmus and their employees; and for vessels of the United States and for other vessels, when required. The Supply Department shall operate commissaries, hotels and messes; shall be in charge of the maintenance of buildings, the assignment of quarters and the care of grounds; shall recruit and distribute unskilled labor; and shall have charge of the necessary animal transportation.

ACCOUNTING DEPARTMENT.

There shall be an Accounting Department under the supervision and direction of the Auditor, with an assistant in the United States.³⁹⁴ The duties of the department shall include all general bookkeeping, auditing and accounting, both for money and property, costkeeping, the examination of payrolls and vouchers, the inspection of time books and of money and property accounts, the preparation of statistical data, and the administrative examination of such accounts as are required to be submitted to the United States Treasury Department; and the collection, custody and disbursement of funds for the Panama Canal and the Canal Zone. These same duties shall be performed for the Panama Railroad Company on the Isthmus when not inconsistent with the charter and by-laws of that Company. The department shall be charged with the handling of claims for compensation on account of personal injuries and of claims for damages to vessels. Within the limits fixed by law, the duties and financial responsibilities of the officers and employees charged with the receipt, custody, disbursement, auditing and accounting for funds and property shall be prescribed in regulations issued by the Governor, with the approval of the President. The Auditor shall maintain such a system of bookkeeping as will enable him to furnish at any time full, complete and correct information in regard to the status of appropriations made by Congress, the status of all other funds, and the amounts of net profits on all operations, which are to be covered into the Treasury as required by the Panama Canal Act.

HEALTH DEPARTMENT.

There shall be a Health Department under the supervision and direction of the Chief Health Officer. This department shall be charged with all matters relating to maritime sanitation and quarantine in the ports and waters of the Canal Zone and in the harbors of the cities of Panama and Colon, and with land sanitation in the Canal Zone, and sanitary matters in said cities in conformity with the Canal Treaty between the United States and the Republic of Panama and existing agreements between the two governments thereunder, and all matters relating to hospitals and charities.

³⁹² Governor's Circular No. 660, outlining general organization, provides that the Panama Railroad, under the direction of the President of the Company, who is the Governor of The Panama Canal and Head of the Department of Operation and Maintenance, will be operated practically as a division of the Department of Operation and Maintenance, but will still retain its entity as a corporation.

³⁹³ See Executive Order of Mar. 2, 1914, p. 162, establishing a Washington Office of The Panama Canal, which shall be the headquarters and principal office of the Purchasing Department of The Panama Canal.

³⁹⁴ Sec. V, Executive Order of Mar. 2, 1914, p. 162, defines duties of Assistant Auditor in the United States.

EXECUTIVE SECRETARY.

There shall be an Executive Secretary who, under the direction of the Governor of the Panama Canal, shall be charged with the supervision of all matters relating to the keeping of time of employees; to postoffices, customs, taxes and excises, excepting the collection thereof; police and prisons; fire protection; land office; schools, clubs and law library; the custody of files and records; and the administration of estates of deceased and insane employees. He shall, in person or through one of his assistants, perform the duties of a Shipping Commissioner. He shall conduct all correspondence and communications between the authorities of the Canal Zone and the Government of the Republic of Panama and such other correspondence as may be given him in charge by the Governor. He shall have charge of the seal of the Government of the Canal Zone and shall attest such acts of the Government as are required by law to be performed and done under the seal.

The duties herein prescribed for the foregoing departments, offices and agencies will be assigned to divisions or bureaus thereunder by the Governor of the Panama Canal, as the necessities therefor arise. Each of the foregoing departments shall discharge such further duties as may be assigned to it from time to time by the Governor; and the Governor, with the approval of the President, may transfer from time to time specific duties from one department to another.

SECTION 2. The organization provided for in Section 1 shall be, in general, in accordance with the outline chart³⁹⁵ accompanying the memorandum of Jan. 27, 1914, entitled "Memorandum to accompany Executive Order of Jan. 27, 1914, providing for a permanent organization for the Panama Canal", and officers from certain departments shall be detailed in accordance with that memorandum.

SECTION 3. This order shall take effect from and after the 1st day of April, 1914, from which date the Isthmian Canal Commission, together with the present organization for the Panama Canal and the Canal Zone,³⁹⁶ shall cease to exist, in accordance with the terms of the above-mentioned Act of Congress.

WOODROW WILSON

THE WHITE HOUSE,
January 27, 1914.

[No. 1885.]

[Memorandum to accompany Executive Order of January 27, 1914, providing for a permanent organization for the Panama Canal.]

In construing and carrying out the foregoing order, I direct that it be done with the following considerations in view:—

I have deemed it advisable for reasons of efficiency, economy and good administration to have all the activities connected with the Panama Canal under the supervision of one Cabinet officer.

The troops which will be stationed on the Canal Zone for the protection of the Panama Canal are under the Secretary of War; the Panama Canal Act provides that in time of war an Officer of the Army shall upon the order of the President have exclusive authority over the operation of the Panama Canal and the Government of the Canal Zone; the construction of the Canal has been successfully carried on under the supervision of the Secretary of War; the logical conclusion is, therefore, that the supervision of the operations of the Panama Canal under the permanent organization should be under the Secretary of War.

It is directed that officers shall be detailed for certain duties from the several departments as follows:

As Engineer of Maintenance, an Officer of the Corps of Engineers, U. S. Army, who shall act as Governor in the absence or disability of the Governor of the Panama Canal.

As Superintendent of Transportation, an Officer of the U. S. Navy.

As Electrical Engineer, an Officer of the Corps of Engineers, U. S. Army.

As Captains of the Terminal Ports, Officers of the U. S. Navy.

As Superintendent of Shops and Dry Docks, a Naval Constructor, U. S. Navy.

As Chief Health Officer, an Officer of the Medical Corps, U. S. Army.

As Superintendent of Hospitals, an Officer of the Medical Corps, U. S. Army.

As Chief Officer of the Quarantine Division, an Officer of the U. S. Bureau of the Public Health.

As Chief Quartermaster, an Officer of the Quartermaster Corps, U. S. Army.

³⁹⁵ 660 series of Governor's Circulars relates to organization.

³⁹⁶ See notes under p. 1 hereof *re* organization of Commission.

The organization is to be in general accordance with the chart accompanying this memorandum, except that all of the various divisions and sub-divisions need not be established until in the opinion of the Governor it is desirable to do so, the organization being expanded gradually as the necessities of the work require.³⁹⁷

WOODROW WILSON

JANUARY 27, 1914.

Providing Conditions of Employment for the Permanent Force for the Panama Canal.

By virtue of the authority vested in me by law,³⁹⁸ it is hereby ordered that the general conditions of employment governing employees on the Isthmus of Panama, necessary for the completion, care, management, maintenance, sanitation, government and operation of the Panama Canal, the Canal Zone, the Panama Railroad, and other adjuncts, shall be as follows:³⁹⁹

APPOINTMENT AND COMPENSATION.

1. The salaries or compensation of employees shall in no instance exceed by more than twenty-five per centum the salaries or compensation paid for the same or similar services to persons employed by the Government in Continental United States, as determined by the Governor of the Panama Canal.⁴⁰⁰

2. Service must be satisfactory to the head of the department in which employed, and employees are subject to the regulations of the Governor.

3. The compensation and conditions of employment of persons employed in the United States will be specified in provisional appointments. The compensation of such persons will begin upon date of embarkation at port of departure from the United States, and they will be granted free transportation from port of departure, including meals on the steamer, but no compensation or expenses for the journey to the port; but former employees from the United States whose next preceding service with the Panama Canal was less than one year shall be paid only from date of entry into service on the Isthmus, and will be allowed only such reduced rates of transportation to the Isthmus as may be available for Government employees. Employees appointed at an hourly rate will be paid for the period of transit to the Isthmus on the basis of an eight hour day exclusive of Sundays. Except in case of discharge or other separation from the service beyond the employee's control, payment of salary from date of embarkation to date of arrival on the Isthmus will not be made unless service on the Isthmus continues for thirty days.⁴⁰¹

4. All officers and employees in the service of the Panama Canal except those who are to perform the duties of clerk, bookkeeper, stenographer, typewriter, surgeon, physician, trained nurse, or draftsman, shall be exempt from examination under Civil Service rules, and appointments to clerical positions on the Isthmus of Panama paying \$75.00 per month or less may also be made without examination.⁴⁰² Officers and employees now in the service of the Panama Railroad Company on the Isthmus may be transferred to and retained in the service of the Panama Canal without examination, whenever any work now performed independently by the Panama Railroad is consolidated with similar work performed by the Panama Canal.

5. When employees in the present organization are transferred to the permanent organization, they shall retain their seniority as regards questions of Civil Service, quarters, and other privileges or considerations; provided, however, that the seniority granted to employees by this order shall not be operative in any case so as to form any claim involving the payment of funds of the United States.

6. All employees who receive over \$75.00 per month or over 40c per hour must be citizens of the United States or the Republic of Panama, and such citizens will be given preference for employment in all grades. Aliens may not be employed in such grades unless

(a) they have occupied similar positions during the construction of the Canal for two years or more, or

(b) in case of emergency, in which latter case they must be replaced by citizens of the United States or Republic of Panama as early as practicable.⁴⁰³

³⁹⁷ See 660 series of Governor's Circulars *in re* organization.

³⁹⁸ Sec. 4, Panama Canal Act (T. & A. 79).

³⁹⁹ See also Executive Order of Jan. 25, 1919, p. 250, on subject of reemployment of employees who entered the military or naval service during war with Germany.

⁴⁰⁰ See the 666 series of circulars for silver rates of pay, and the 669 series for gold rates of pay.

⁴⁰¹ Sec. 3 amended by Executive Order of Nov. 25, 1919, p. 255.

⁴⁰² Amended by Executive Order of Nov. 16, 1918, p. 249, so as to permit appointments to clerical positions in the Federal Service on the Isthmus of Panama paying not more than \$106 a month without examination under civil service rules. This order (to be in effect no longer than 6 months from the end of the war) was revoked by Executive Order of May 16, 1921, p. 288.

⁴⁰³ Amended by Executive Order of Feb. 20, 1920, p. 266, and par. 20 hereof amended accordingly by same order.

7. The Governor shall prescribe regulations, when not otherwise fixed in this order, setting forth the qualifications necessary for appointment of the various classes of employees, including physical fitness for work on the Isthmus. The age limit shall in all cases be under 45 years, but the Governor may waive this limit when in his judgment such action is for the good of the service.⁴⁰⁴

8. All appointments shall be made by the Governor of the Panama Canal, or by his authority, except the district judge, district attorney, marshal, clerk of district court and his assistant.

9. Assignment to duty is vested in the respective heads of the departments, and employees will be expected to perform such duties as may properly be assigned to them. The Governor may discharge an employee at any time for cause, and terminate a provisional appointment when the exigencies of the service so require.

10. The Government reserves the right to pay in any money the value or parity of which is guaranteed by the United States.

11. Employees whose salaries are fixed on a monthly or annual basis will receive no pay for overtime work.

12. Employees above the grade of laborer, appointed with rates of pay per hour or per day, will not be employed over eight hours in any one calendar day, except in case of emergency. The time such employees work over eight hours in one calendar day, and time worked on Sundays and regularly authorized holidays,⁴⁰⁵ including January 1st, February 22d, May 30th, July 4th, Labor Day, Thanksgiving Day, and December 25th, shall be considered overtime for which time and one-half will be allowed. Such employees who work on the days prior and subsequent to the holidays specifically named above will be allowed their regular pay for eight hours for such days, in addition to pay for any work performed.

13. An employee whose compensation while on duty carries with it subsistence will not be entitled to same or commutation thereof while on leave of absence, and no commutation of quarters shall be paid.

TRANSPORTATION.⁴⁰⁶

14. Employees and dependent members of their families will be granted the regular Government rate upon commercial steamship lines with which arrangements for such rates can be made. While the United States operates a steamship line, either directly or through the Panama Railroad Company, employees and the dependent members of their families will be granted transportation at the same rates and under the same conditions as are at present in effect. The rates and conditions are subject to change at any time in the discretion of the Governor.

15. After three years service, employees who are citizens of the United States will be entitled to free transportation for themselves only, on termination of service, to any port of the United States, except that when such transportation costs the Government more than \$40.00 the employee must pay the excess.

16. Employees on the gold roll will be granted one complimentary round-trip pass on the Panama Railroad each calendar month. Mileage books for use of such employees and dependent members of their families or relatives temporarily residing with them, will be furnished at one-half regular tariff rates.

QUARTERS.⁴⁰⁷

17. Where practicable, such bachelor quarters on the Isthmus as may be available from time to time will be assigned all employees desiring them. Family quarters,

⁴⁰⁴ See following series of Governor's Circulars: 602 series relating to leave; 603 series relating to employment, transfer, and promotion (including physical examination); 604 series relating to discharge, service ratings, etc.; 605 series relating to seniority; 606 series relating to discipline; and 607 series relating to citizenship. See also 625 series relating to Corozal Farm.

⁴⁰⁵ Act No. 11 of the Commission (L. C. Z. 89), with amendment, designates public holidays in the Canal Zone.

⁴⁰⁶ See 608, 609, 610, and 611 series of Governor's Circulars relating to railroad and steamship transportation.

⁴⁰⁷ Executive Order of Jan. 15, 1915, p. 207, provided for charges, beginning Mar. 1, 1915, under this section, ruling that free quarters, fuel, and electric current was not a vested or contract right under conditions of employment, but a revocable privilege. That order was, however, modified by Executive Order of May 25, 1915, p. 213, by suspending from the operation thereof so much as relates to rent, fuel, and light during the period of actual construction of the Canal, but not later than June 30, 1916. The order of Jan. 15, 1915, was rescinded and abrogated by Executive Order of July 25, 1916, p. 215, the latter order not applying to alien silver employees by provisions of Executive Order of Aug. 10, 1916, p. 216. Executive Order of Dec. 3, 1921, and Panama Canal Circular No. 627-31 of Dec. 15, 1921, give conditions for payment of rent and related charges; p. 291. See 627 series of Governor's Circulars relating to quarters for gold employees, and the 628 series as silver employees. See also act of July 9, 1918 (T. & A. 203) providing that officers of the Army pertaining to United States troops in the Canal Zone shall not be required to pay rent for the occupancy of houses of The Panama Canal to which they may be assigned.

when available, will be assigned under such rules as may be prescribed by the Governor. A charge will be made for rent, fuel, and electric current at such time and in accordance with such regulations as the President may hereafter establish.

MEDICAL CARE.⁴⁰⁸

18. Employees injured will be compensated in accordance with such regulations as are prescribed by law.

19. All employees in cases of illness or injury will receive free medical care and attendance in the hospitals, except in cases of alcoholism or venereal disease. If medical attendance is furnished in quarters, a charge may be made under regulations to be prescribed by the Governor. Employees will be charged for medical care and attendance furnished members of their families at the hospitals and at their quarters at such rates and under such regulations as may be prescribed by the Governor.

LEAVE REGULATIONS.

20. All employees who are citizens of the United States, and aliens whose compensation is more than \$75.00 per month⁴⁰⁹ or 40c per hour,⁴¹⁰ shall be entitled to leave privileges.

21. Leave will be divided into three classes, viz: (1) annual leave, (2) cumulative leave, and (3) travel leave.

ANNUAL LEAVE.⁴¹¹

22. Twenty-four days annual leave will be allowed each employee for each year after entry into service and, if not granted prior to the close of the year, is forfeited and may not be accumulated, except that any annual leave remaining to an employee's credit in a year in which he is granted cumulative leave may be added to the cumulative leave if taken within two months after the close of his service year.

23. The service year shall date from the day on which an employee's pay in the permanent organization begins.

24. Absences of one-half day or more, when regularly authorized, will be charged against annual leave; also absences on account of illness or injury, upon the certificate of an authorized physician in the service of the Panama Canal, except that in the following classes of cases no payment shall be made for time lost, but the time shall be charged against the annual leave:

(a) Illness due to the fault of the employee, as venereal disease and alcoholism.

(b) Injury due to the employee's wilful intention to bring about the injury or death of himself or another.

(c) Elective surgical operations to relieve conditions existing prior to service on the Isthmus.

25. In the case of hourly or per diem employees annual leave on account of sickness or injury shall be based upon a day of eight hours.

26. Not more than fourteen days annual leave may be taken during the first six months of a service year. In case of illness or injury in the first six months, to cover which no annual leave remains to the employee's credit, the time lost will be charged against the annual leave remaining for the year, and payment will be made after completing ten months of the service year. After the entire twenty-four days annual leave has been used, additional leave in that service year on account of illness or injury will be deducted from the cumulative leave for that year and when the cumulative leave becomes due the employee will be paid.

27. After exhausting both annual and cumulative leave for the year, additional absence on account of illness or injury will be without pay, except such compensation as may be prescribed by law for employees receiving personal injuries.

⁴⁰⁸ The 618 series of Governor's Circulars relates to this general subject; see also 619 to 625 series on allied subjects.

⁴⁰⁹ Amended by Executive Order of Feb. 20, 1920, p. 266, to read "\$960 a year or 40 cents an hour."

⁴¹⁰ Executive Order of Nov. 14, 1918, p. 249, authorizes the Governor of The Panama Canal to grant to alien employees of The Panama Canal and the Panama Railroad who are not entitled to leave privileges under conditions of employment now in effect compensation for time lost due to illness, under such regulations as the Governor may prescribe and which he is authorized to issue. See Circulars Nos. 602-18, 602-20, and 602-23 on this subject.

⁴¹¹ Secs. 22 to 41, inclusive, rescinded by Executive Order of Jan. 15, 1917, p. 218, and substituted by secs. 22 to 41 as provided by latter order.

CUMULATIVE LEAVE.

28. Thirty days cumulative leave will be allowed each employee paid on a monthly or annual basis for each year of his service, and twenty days to each employee paid on an hourly basis. This leave will be due after completing ten months' service each year and may be taken when the employee's service can be spared. It may be taken annually or left to accumulate to the credit of the employee, provided, however, that leave may not be accumulated for more than three years. If it is not desired to take the entire leave accumulated, the leave earned for the first year, or the first and second years, may be taken, provided that no employee, except at termination of service, may be granted more than ninety days leave with pay at one time. Employees will be paid for cumulative leave at the rate earned when the leave became due at the end of the tenth month of each respective year.

29. In case an employee serves part of a year on the monthly or annual basis and part on the hourly basis, he will be allowed twenty days cumulative leave, except that if he has served eight months or more on the monthly or annual basis during the year he will be granted thirty days cumulative leave.

TRAVEL LEAVE.

30. Employees who travel to points outside the tropics, when on cumulative leave, will be allowed seven days additional leave (or travel leave) with full pay. Travel leave may be allowed approximately once a year and is not cumulative.

31. Employees will be compensated for travel leave and annual leave taken in conjunction with cumulative leave at the rate earned when cumulative leave last became due.

32. After accumulating leave for three years, an employee ceases to earn additional cumulative leave until he is granted all or part of the cumulative leave already earned, unless he shall enter on cumulative leave within two months after completing the third year, or be ordered by the Governor to defer taking leave for official reasons.

33. When an employee's services are terminated on account of misconduct or unsatisfactory service, any annual leave due and travel leave will be forfeited, and cumulative leave will also be forfeited unless written notification has been given that the employee has accumulated the leave, or the four months period within which the employee may enter on leave has passed. Such written notice must be given by employees as soon as possible after cumulative leave becomes due.

34. When an employee's service is terminated, a cash payment in commutation of leave will be made to him for the number of days' cumulative leave due, plus the annual leave due. In the event of his death his estate will be paid the sum due.

35. Employees must enter on cumulative leave within four months after the date when it becomes due, except when accumulated, or unless otherwise authorized by the Governor.

36. Employees must report from leave within one week after the authorized leave expires or forfeit pay for the leave. In case of unavoidable delay, the Governor will decide whether the circumstances warrant an exception to this rule.

37. No restrictions are placed on the localities where leave may be spent.

38. Any employee transferred from the present force to the permanent operating force will be paid at the time of transfer, in addition to his regular compensation, the amount he would have received in payment for leave had he been separated from the service at the time of transfer.

39. Leave may be taken only at the convenience of heads of departments, who may direct an employee to accumulate his leave if necessary for the conduct of the work.

40. Leave without pay may be granted by the Governor to all employees, including laborers, for such period as may be prescribed by him.

OFFICE HOURS AND HOURS OF LABOR.

41. Office hours and hours of labor will be fixed by the Governor within the limits prescribed by law.⁴¹²

42. This order shall take effect from and after the 1st day of April, 1914.

WOODROW WILSON

THE WHITE HOUSE,
2 February, 1914.

[No. 1888.]

⁴¹² Secs. 22-41, substituted by secs. 22-41 as in Executive Order of Jan. 15, 1917, p. 218.

To establish a Washington Office of The Panama Canal, to provide temporarily for the organization, officials, and employes thereof, and to continue in force for The Panama Canal rules, regulations, and Executive Orders which may have been made for the Isthmian Canal Commission.

By virtue of the authority vested in me it is hereby ordered:

SECTION I. That an office of The Panama Canal is established in the City of Washington in the District of Columbia.

SECTION II. That the Washington Office of the Panama Canal shall be the office of general records in the United States, and shall succeed to the custody, care and preservation of all the records and files of the Isthmian Canal Commission, to be retained and preserved in the United States on and after April 1, 1914, and shall also succeed to and become chargeable with all property of every kind and character purchased for the Washington Office of the Isthmian Canal Commission, which is on hand April 1, 1914.

SECTION III. That the Washington Office of The Panama Canal shall be the headquarters and the principal office of the Purchasing Department of The Panama Canal.⁴³ The head of the Purchasing Department of The Panama Canal, under the direction of the Governor, shall have administrative control of the Washington Office of The Panama Canal. He shall be subject to orders and supervision of the Chief of Engineers of the U. S. Army to such extent as may be directed by the Secretary of War. He shall be General Purchasing Officer for The Panama Canal, and shall also act as the Chief of the Washington Office of The Panama Canal.

SECTION IV. That until further ordered, the Washington Office of The Panama Canal shall have the same organization as to offices and departments (except the Office of the Assistant Examiner of Accounts and the Disbursing Office) as the Washington Office of the Isthmian Canal Commission shall have on March 31, 1914. The number, class and salaries of officials and employes in each of the offices and departments, except as hereinafter provided, shall be the same as those authorized for the Washington Office of the Isthmian Canal Commission on March 31, 1914; and any change in the salary of any position, or in the number of positions in any office or department, shall be made only as now provided by law. The officers and employees, except as hereinafter provided, shall perform the same class of duties that they may be assigned to on March 31, 1914.

SECTION V. That the Assistant Auditor provided for in Executive Order No. 1885, dated January 27, 1914, shall be appointed April 1, 1914. His salary shall be fixed by the Governor. He shall perform such duties of the Accounting Department⁴⁴ to be performed in United States, as may be assigned to him by the Auditor, and also such other duties of a general nature as may be assigned to him by the Chief of the Washington Office of The Panama Canal.

On and after April 1, 1914, there shall be transferred to the Assistant Auditor, and he shall be charged with the custody, care and preservation of, all records and property of the Disbursing Officer, and of the Assistant Examiner of Accounts of the Isthmian Canal Commission, with which those officers shall be charged on March 31, 1914.

The Chief of the Washington Office may, however, transfer to and place in the custody of the Disbursing Clerk, hereinafter provided for, such of the property and records above described, as he may deem to be essential to enable the Disbursing Clerk to properly perform his duties under this order, but the Disbursing Clerk shall not be permitted, without specific authority from the Chief of Office, to keep a separate set of records and files. He shall be required to rely upon, and consult when necessary, the records and files in the office of the Assistant Auditor, in verifying the legality of claims and accounts submitted to him for payment, or to verify the details of any collections for which he is required to account. Disbursements will be made by the Disbursing Clerk only after examination of the claim on account in the office of the Assistant Auditor.

Such of the officers and employes employed in the office of the Assistant Examiner of Accounts and the Disbursing Office of the Isthmian Canal Commission on March 31, 1914, as the Governor determines to retain, shall be transferred to and employed in the Accounting Department in the United States, and their salaries fixed at such amounts as the Governor deems just and reasonable.

There shall be a Disbursing Clerk for that part of the Accounting Department in the United States, who shall perform similar duties to those that are required to be performed by the Collector and Paymaster on the Isthmus, in so far as there are such duties to be performed in the United States, and shall be subject to the same supervision by the Assistant Auditor, as the Collector and Paymaster on the Isthmus are by the Auditor. He shall give bond in such amount as may be fixed by the Governor, or by his authority.

⁴³ Purchasing Department provided by permanent organization order of Jan. 27, 1914, p. 155.

⁴⁴ See Governor's Circular No. 660-2 for organization of Accounting Department.

Such of the officers and employees as are transferred to and employed in the Accounting Department in the United States, shall be distributed between the office of the Assistant Auditor and that of the Disbursing Clerk, respectively, as the needs of the service require. They shall perform such duties as may be assigned to them by proper authority. They shall be subject to similar financial responsibilities, and to the same general rules and regulations that have been prescribed for like officers and employees employed in the Accounting Department on the Isthmus.

It is the purpose of this order, and it shall be so construed, as to require the Assistant Auditor of The Panama Canal to examine all claims and accounts before their payment by the Disbursing Clerk; to carry on all general correspondence in relation to claims and accounts required to be conducted by the Accounting Department in the United States; to prepare all vouchers and certify to the validity of all claims and accounts before they are submitted to the Disbursing Clerk for payment; to furnish to the Disbursing Clerk all necessary data to enable that officer to make reply to any exceptions that may be taken to his account by the Auditor for the War Department; to keep all general records required to be kept in the Accounting Department in the United States; to make all reports as to statistical data required to be sent to the Auditor on the Isthmus; to give an administrative examination to all accounts of the Disbursing Clerk before they are transmitted to the Auditor; to make an administrative examination of all claims which are to be submitted to the Auditor for direct settlement; to keep a complete record of all collections to be made and all moneys received by the Disbursing Clerk; to certify to the correctness of the Disbursing Clerk's accounts for collections; to see that bills collectible are issued and collections made in all proper cases; to have charge of all general files which are required to be kept by the Accounting Department in the United States; and to perform such other duties as may be assigned to him by the Auditor, or the Chief of the Washington Office.

SECTION VI. That any person holding appointment or employment in or under Washington Office of the Isthmian Canal Commission on March 31, 1914, shall be eligible for appointment to, or employment in a like position in or under the Washington Office of The Panama Canal, created by this order, and all except those employed in the Accounting Department, will be considered to be transferred and appointed to such like position in or under the Washington Office of The Panama Canal, as of April 1, 1914, without further order or appointment. The oath of office shall be taken by all officials and employees of the Washington Office.

SECTION VII. This order shall remain in force as a provisional order only, for the establishment of the Washington Office of The Panama Canal, until an order for the permanent organization of such office shall have been made.

SECTION VIII. All rules, regulations and executive orders, not inconsistent with the provisions of this order and the Executive Orders of January 27,⁴¹⁵ and February 2, 1914,⁴¹⁶ heretofore made for the Isthmian Canal Commission, and applicable to conditions that will exist under these orders, shall be and are hereby continued in full force and effect, as rules, regulations, and executive orders for the government of officers and employees of The Panama Canal and the transaction of the business of The Panama Canal.

WOODROW WILSON

THE WHITE HOUSE,
2 March, 1914.

[No. 1897.]

Executive Order Relating to the Canal Zone Judiciary.

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

SECTION 1. The Balboa Division of the District Court of the Canal Zone, in conformity with the Panama Canal Act,⁴¹⁷ shall include all that part of the Canal Zone which lies within the lines of the ten mile zone and extends from the south bank of the Chagres River and the shore line of Gatun lake, 87 feet above mean sea level, to the Pacific Ocean; and the Cristobal Division of said Court shall include all of the territory within the lines of the ten mile zone, extending from the Balboa Division to the Atlantic Ocean, and the area of Gatun Lake beyond the lines of the ten mile zone up

⁴¹⁵ pp. 155-158.

⁴¹⁶ pp. 156-158.

⁴¹⁷ See generally secs. 2, 7, 8, 9, and 10 of the Panama Canal Act (T. & A. 79), providing for discontinuance of existing courts, establishing new courts, and defining general duties and jurisdictions. See also Executive Order of Dec. 30, 1921, p. 293, establishing Rules of Practice and Procedure.

to the contour line of 100 feet above mean sea level and the islands in said lake; and the peninsulas bordering on said lake which have been taken by the United States for the purposes of the Panama Canal.

SEC. 2. Civil and criminal cases within the original and appellate jurisdiction of the District Court arising in the Division of Balboa shall be tried in the town of Balboa, and those arising in the Division of Cristobal shall be tried in the town of Cristobal. The Governor of the Panama Canal shall provide a suitable place in each of said towns for the holding of the sessions of the District Court.

SEC. 3. The Canal Zone is hereby divided into two sub-divisions to be known as the sub-division of Balboa and the sub-division of Cristobal. The territorial limits of the sub-division of Balboa shall be coterminous with those provided in this order for the Balboa division of the District Court and the territorial limits of the sub-division of Cristobal shall be coterminous with the Cristobal division of the District Court.

SEC. 4. The town of Balboa shall include the townsite at the Pacific terminus of the Canal of that name, as well as the other settlements within the Balboa sub-division; and the town of Cristobal shall include the townsite of that name, as well as all other settlements within the Cristobal sub-division of the Canal Zone.

SEC. 5. There shall be a magistrate and a constable for each of the towns of Balboa and Cristobal to be appointed by the Governor, in conformity with section 7 of the Panama Canal Act. The said magistrates shall hold court at such places in their respective towns as may be designated by the Governor of the Panama Canal from time to time.⁴¹⁸

SEC. 6. Appeals in civil and criminal cases are hereby authorized from the judgments and rulings of the Magistrate Courts to the District Court of the Canal Zone, in like manner as appeals have been heretofore allowed from the District Courts of the Canal Zone to the Circuit Courts thereof.⁴¹⁹

SEC. 7. Magistrates and constables appointed for the Magistrates Courts, before assuming office, shall be required to subscribe an oath of office before an officer of the Canal Zone authorized to administer the same, to the effect that they will faithfully and impartially discharge the duties of their respective offices; and the constables of said courts shall be required to execute a bond with two or more good and sufficient sureties, or by a bonding company, to be approved by the Governor, in the sum of One thousand dollars, conditioned that the officer executing said bond will faithfully comply with his duties as constable, and will turn over all moneys, properties and effects coming into his hands by virtue of his office to the persons entitled thereto in accordance with law; and the bond may be sued upon in any court of competent jurisdiction by any person who may be injured by reason of a failure of official duty on the part of the constable, and the bond shall not become void upon the first recovery, but successive suits may be instituted thereon until the full amount thereof is exhausted.

SEC. 8. The rules heretofore governing the District Courts of the Canal Zone and prescribing the duties of the District Judges there, and bailiffs, and those respecting the disposition of fines, costs, forfeitures, and enforcement of judgments in said courts and providing for appeals therefrom to the Circuit Court, shall apply to the Magistrate Courts established by this order and to the Magistrates and Constables thereof.⁴²⁰

SEC. 9. The District Judge in selecting jurors to render jury service in the district court, shall choose them from among those residing within the division in which they are called upon to serve as such jurors.⁴²¹

SEC. 10. The rules of evidence, practice and procedure heretofore established in the Circuit Courts of the Canal Zone, not inconsistent with the provisions of the Panama Canal Act, shall govern in the trial of cases in the District Court of the Canal Zone.

SEC. 11. The District Judge may order a change of venue in any case, civil or criminal, when in his opinion that is necessary to an orderly and due administration of justice, or when for any cause it is not practicable to hold a session in the Division where the case was originally instituted; and he may, at his discretion, order a change of venue in any case by consent of the parties. When a change of venue is ordered in any civil or criminal case, the Judge shall state his reasons therefor in the order directing the change of venue.⁴²²

⁴¹⁸ Governor's Circular No. 660-3 designated Cristobal as place for magistrate of Cristobal subdivision to hold court, and Ancon and Empire for magistrate of Balboa subdivision.

⁴¹⁹ Executive Order of Nov. 7, 1908, p. 85, provides for appeals in criminal cases, and secs. 67-72, Code of Civil Procedure, covers same subject in civil cases.

⁴²⁰ See notes under sec. 4 of Executive Order of Mar. 13, 1907, p. 62, relating to authority of District Judge, of former courts. See also Executive Order of Nov. 7, 1907, relating to appeals; order of Aug. 29, 1913, p. 150, subject of bail bonds; order of Jan. 9, 1920, p. 263, concerning costs and security for costs; and order of Aug. 3, 1914, p. 194, prescribing duties of constables.

⁴²¹ See notes under Executive Order of Feb. 6, 1908, p. 76, *in re* jury trials.

⁴²² Secs. 164-169, Code of Criminal Procedure (L. C. Z. 196), providing for removal of action before trial.

SEC. 12. Whenever a change of venue has been ordered by the Court, the clerk shall immediately make out a true transcript of all the orders made in said case, and certify thereto under his official seal, and transmit the same with the original papers in the case to the other division of the District, and the case shall be tried therein as if it had been instituted there originally.

SEC. 13. The Supreme Court of the Canal Zone and the judges thereof shall continue to act after this order takes effect until the cases and business pending therein have been finally determined and disposed of;⁴³ but cases tried in any of the Circuit Courts prior to April 1, 1914, shall not be heard in the Supreme Court unless the appeal is perfected and the case docketed in the Supreme Court before May 1, 1914.

SEC. 14. This order shall take effect from and after April 1, 1914.

WOODROW WILSON.

THE WHITE HOUSE,
12 March, 1914.

[No. 1898.]

Order of the President, Mar. 20, 1914 (effective Apr. 1, 1914), providing a method for the determination and adjustment of claims arising out of personal injuries to employees occurring while directly engaged in actual work in connection with the construction, maintenance, etc., of the Panama Canal, or of the Panama Railroad.⁴⁴

By virtue of the authority vested in me by Section 5 of the Panama Canal Act approved August 24, 1912, directing the President to "provide a method for the determination and adjustment of all claims arising out of personal injuries to employees thereafter occurring while directly engaged in actual work in connection with the construction, maintenance, operation or sanitation of the Canal, or of the Panama Railroad, or of any auxiliary canal, locks or other works necessary and convenient for the construction, maintenance, operation or sanitation of the Canal, whether such injuries result in death or not, and prescribe a schedule of compensation therefor," I hereby establish the following Order:

Section 1. The United States or the Panama Railroad Company shall pay compensation as hereinafter specified for personal injuries to their respective employees occurring on and after April 1, 1914, while such employees are directly engaged in actual work in connection with the construction, maintenance, operation or sanitation of the Panama Canal, or of the Panama Railroad, or of any auxiliary canals, locks or other works necessary and convenient for the construction, maintenance, operation or sanitation of the Panama Canal, whether such injuries result in death or not; provided, however, that no compensation shall be paid to any employee for any injury occurring to himself, or shall any compensation be paid to his legal representatives or other person in the event of his death, if such injury or death occurred to him as the result of an intention upon his part to cause such injury to himself or to cause his own death; and no compensation shall be paid to any employee who is injured as the result of an intention upon his part to cause injury or death to another person, nor shall any compensation be paid to his legal representatives or to any other person in the event of his death, as the result of an intention upon his part to cause injury or death to another person; and provided further, That no compensation shall be paid to any employee for any injury to himself which was brought about by reason of his own intoxication; and similarly, no compensation shall be paid to the legal representatives or to any other person for or on account of the death of any employee when such death was brought about by reason of the intoxication of such employee.

Section 2. Compensation the exclusive remedy. Except as provided in this order, the United States and the Panama Railroad Company shall not be liable for personal injury to or the death of an employee for which compensation is provided in Section 1 hereof.

Section 3. Waiting period. No compensation shall be paid for a period of disability unless such period shall cover seven full consecutive days following the day of the inception of such disability. For any part of the day on which disability on account of injury begins and for the first four days of disability following, no compensation shall be paid at any time except as provided in Sections 9 and 10.

⁴³ Supreme Court ceased to operate as of July 1, 1914.

⁴⁴ This order remained in effect until the passage of the Act of Congress of Sept. 7, 1916 (T. & A. 134-140), which repealed all acts or parts of acts inconsistent therewith, and, under sec. 42, authorized the President to transfer the administration thereof so far as employees of The Panama Canal and the Panama Railroad are concerned to the Governor of The Panama Canal. Such transfer was effected by the Executive Order of Sept. 15, 1916, p. 217. For previous legislation on this subject see Executive Order of Feb. 26, 1913, p. 134, and Act of Congress of May 30, 1908 (T. & A. 49).

Section 4. Permanent total disability. If the injury results in permanent total disability, compensation shall be paid to the employee, except as provided in Section 16, for a period of eight years. For the first three months of such period, following the fourth entire day of disability, the monthly compensation shall equal 75 per cent of his monthly pay, and for the remainder of the period 50 per cent of his monthly pay. The following cases shall be included among those held to result in permanent total disability, to-wit:

- The total and irrecoverable loss of sight in both eyes;
- The loss of both feet at or above the ankle;
- The loss of one hand and one foot;
- The loss of both hands at or above the wrist;
- Paralysis of the legs, arms, feet or hands, or an arm and a leg;
- Injury resulting in incurable imbecility or insanity.

Section 5. Temporary Disability. If the injury results in temporary disability, compensation shall be paid to the employee, except as provided in Section 16, until the end of the period for which compensation is payable as fixed below, unless such employee in the opinion of the Governor of the Panama Canal is sooner able to resume work. For the first three months of such period, following the fourth entire day of disability, the monthly compensation shall equal 75 per cent of his monthly pay, and for the remainder of such period, 50 per cent of his monthly pay.

- For the fracture of the skull, both tables, thirteen months;
- For the fracture of the thigh, twelve months;
- For the fracture of the arm between the elbow and shoulder, twelve months;
- For the fracture of the pelvis, ten months;
- For the fracture of the leg, eight months;
- For the fracture of the patella, eight months;
- For the fracture of the forearm between the wrist and elbow, six months;
- For the fracture of two or more ribs, four months;
- For the fracture of the foot, five months;
- For the fracture of the clavicle, three months;
- For the fracture of the lower jaw, three months;
- For the fracture of two or more toes, two months;
- For the fracture of two or more fingers, two months;

In all other cases of injury resulting in temporary disability, or in the event of two or more injuries listed above, the Governor shall fix the period for which compensation shall be paid, basing his decision on the relation that the injury or injuries received bears to those given above.

If before the expiration of the period for which compensation is payable, the Governor of the Panama Canal determines that the employee is capable of performing any class of work, and it is desired to continue such employee in the service, there shall be paid to the employee until the end of the period, or during such temporary partial disability, a monthly compensation equal to seventy-five per cent of the difference between the monthly rate of compensation received by him at time of injury and the wages per month of the particular class of work which the Governor determines the employee capable of performing.

Section 6. Permanent partial disability. If the injury results in permanent partial disability, compensation shall be paid to the employee, except as provided in Section 16, until the end of the period for which compensation is payable, as fixed below. For the first three months of such period, following the fourth entire day of disability, the monthly compensation shall equal 75 per cent of his monthly pay, and for the remainder of the period, 50 per cent of his monthly pay.

(A) If the injury is included in the following list the period for which the compensation is payable as stated for such injuries may be increased by the Governor of the Panama Canal at his discretion by not to exceed fifty per cent of the period specified, having regard to the nature of the employee's trade or qualifications for work:

- For the loss by separation of one arm, at or above the elbow joint or permanent or complete loss of the use of one arm, forty months;
- For the loss by separation of one hand at or above the wrist joint, or the permanent and complete loss of the use of one hand, thirty-two months;
- For the loss by separation of one leg at or above the knee joint, or the permanent or complete loss of the use of one leg, thirty-six months;
- For the loss by separation of one foot at or above the ankle joint, or the permanent or complete loss of the use of one foot, twenty-four months;
- For the permanent and complete loss of hearing in both ears, forty months;
- For the permanent and complete loss of hearing in one ear, eighteen months;
- For the permanent and complete loss of the sight of one eye, sixteen months;

(B) If the injury is included in the following list, the period shall be that stated for such injury:

For the loss by separation of a thumb, ten months;

For the loss by separation of a first finger, seven months; a second finger, five months; a third finger, four months; a fourth finger, three months;

The loss of one phalanx of a thumb or two phalanges of a finger shall be considered equal to the loss of one-half a thumb or finger, and compensation for one-half of the above period shall be payable;

The loss of more than one phalanx of a thumb and more than two phalanges of a finger shall be considered as the loss of an entire thumb or finger;

For the loss by separation of a great toe, compensation for eight months, and any other toe; compensation for three months will be paid.

In all other cases of injury resulting in permanent partial disability, or in the event of two or more injuries listed in clauses "A" and "B," the Governor shall fix the period for which compensation shall be paid, basing his decision on the relation that the injury or injuries bears to those given in clauses "A" and "B," provided however that in no case shall payment be made for a period greater than sixty months.

If, before the expiration of the period for which compensation is payable, the Governor of the Panama Canal determines that the employee is capable of performing any class of work, and it is desired to continue such employee in the service, there shall be paid to the employee until the end of the period, a monthly compensation equal to seventy-five per cent of the difference between the monthly rate of pay received by him at the time of injury and his wage-earning capacity per month.

Section 7. Affidavit as to Wages. After the beginning of partial disability the Governor of the Panama Canal may, from time to time, require the injured employee to make an affidavit as to the wages per month which he is receiving. In the statement of the wages, the value of rent, board, lodging and other advantages received from the employer, which can be estimated in money, shall be taken into account. If the employee at any time fails to make such affidavit, he shall not be entitled to any compensation while such failure continues, and the period of such failure shall be deducted from the period during which compensation is payable to the employee; provided, however, that if the said employee, in any such affidavit furnished, shall swear falsely with respect to any material fact within his knowledge, the compensation otherwise payable to him shall, from the time of the filing of such affidavit or the ascertaining of the falsity thereof, cease and determine.

Section 8. Refusal to work. If an employee, determined to be capable for such work, refuses to work after suitable work is furnished to or secured for him by the United States or by the Panama Railroad Company, he shall not be entitled to any compensation while such refusal continues, and the period of such refusal shall be deducted from the period during which compensation is payable to the employee.

Section 9. Sick leave. If at the time disability begins the employee has to his credit any unused sick leave, he may, at his option, subject to the approval of the Governor of the Panama Canal, use such leave until it is exhausted. During such time no compensation under this order shall accrue, and any period of sick leave so used after the first four days of disability following the day of injury shall be deducted from the period for which compensation under this Order is payable to the employee.

Section 10. Medical, surgical and hospital treatment. There shall be furnished to the injured employee such medical, surgical and hospital service and supplies as may in the opinion of the Governor of the Panama Canal be deemed just and reasonable, except that when an injured employee not on the Isthmus of Panama elects to furnish his own physician, or to care for himself, the expense thereof is to be borne by the employee and no allowance therefor will be made under this order. If any such injured employee shall refuse to submit to the medical or surgical treatment prescribed for him and determined by the Governor of the Panama Canal to be reasonable and proper the Governor may in his discretion either reduce the amount of compensation to which said employee might otherwise be entitled, or consider such refusal on the part of the employee to be a waiver by him of any right to compensation under this order.

Section 11. Transportation of injured employees. If in the opinion of the Governor of the Panama Canal it is not desirable to continue the injured employee in the service, such employee, so soon as he is able to travel, may be furnished, in the discretion of the Governor of the Panama Canal, transportation to his home port, or to any other port requiring no greater expenditure. If an injured employee who is a citizen of the United States desired to go to a port in the United States, the cost of transportation to which is greater than the cost to his home port, an amount may be paid towards the cost of such transportation, not in excess of the cost of transportation to his home

port. In addition, an injured employee may be furnished railway transportation to or towards his home in the United States costing not in excess of \$30.00. If at the time of the injury the employee is on the Isthmus, the Governor of the Panama Canal may in his discretion suspend for such period as such employee remains on the Isthmus after free transportation has been offered, as herein provided, the compensation payable to such employee.

Section 12. Death Payments. If the injured employee shall die within one year from the date of and as the result of injuries received while directly engaged in actual work, the persons mentioned in this section, except as provided in Section 16, shall be entitled to receive compensation as set forth in the following schedule after deducting from the period mentioned therein any period for which payment has been made to the deceased employee; provided, however, that the total amount of compensation paid to employee and beneficiaries shall not exceed the sum of \$5,000.

(A) If the deceased employee leaves a widow to whom he was married at the time of the injury, she shall be paid monthly for eight years, unless she sooner marries or dies, a sum equal to twenty-five per cent of the monthly pay of the employee.

(B) If the deceased employee leaves a widow to whom he was married at the time of the injury with one or two children incapable of self-support and dependent on her for support, there shall be paid her monthly for each such child an additional allowance of ten per cent of the monthly pay of the employee, such additional allowance to continue until the child dies, marries or in the opinion of the Governor of the Panama Canal becomes capable of self-support. If there shall be more than two children dependent on her for support the additional monthly allowance for all children shall be twenty-five per cent of the monthly pay of the employee. In no case however shall the additional monthly allowances continue beyond a period of eight years.

(C) If the deceased employee leaves a widow, or a widow and children, entitled to compensation under paragraphs A or B of this section, and also leaves another child or children incapable of self-support and not supported by the widow, there shall be paid monthly for the benefit of such child or children last named, to such persons as may be designated under the provisions of Section 16, such proportions as the Governor of the Panama Canal may decide, of the deceased employee's monthly pay, not exceeding ten per cent for each such child; provided that the total proportion of monthly pay of deceased employee to widow and all children under this paragraph and paragraphs A and B of this section, shall not exceed thirty-five per cent for widow and one child, forty-five per cent for widow and two children, and fifty per cent for widow and three or more children, and; provided that in order to make payment to the children under this section the Governor may if necessary reduce the proportion payable to widow or children under paragraphs A and B of this section; and provided further that payment for the benefit of a child or children not supported by the widow shall continue until the child dies, marries, or in the opinion of the Governor becomes capable of self-support, but in no case shall such payments continue more than eight years.

(D) If the deceased employee has left no widow entitled to compensation under this order, but has left a child or children incapable of self-support, there shall be paid monthly for the benefit of such child or children to the person designated under the provisions of Section 16, not more than twenty-five per cent of the monthly pay of the deceased employee for one child and not more than fifty per cent of the monthly pay for two or more children; provided that payments shall continue until the child dies, marries, or in the opinion of the Governor becomes capable of self-support, but in no case shall such payments continue more than eight years.

(E) If the deceased employee leaves a widow or children entitled to compensation under this order and shall also leave a parent either partially or wholly dependent on him for support; or a brother, sister, grand-parent or grand-child wholly dependent on him for support, there may be paid to such relation monthly such portion or portions of the monthly pay of the employee as may be determined by the Governor of the Panama Canal, provided that the total compensation to all beneficiaries under this and paragraphs A, B, C and D of this Section shall not exceed fifty per cent of the monthly pay of the deceased employee and provided that in order to make payment to the relatives under this paragraph the Governor of the Panama Canal may if necessary reduce the proportion payable to widow or children under paragraphs A, B, C and D of this section, and; provided further that payment for the benefit of a relative under this paragraph shall cease if he dies, marries or in the opinion of the Governor becomes capable of self-support, but in no case shall payment continue more than eight years.⁴²⁵

⁴²⁵ Par. E amended by Executive Order of Sept. 19, 1914, p. 200.

(F) As used in this section, the terms "child" and "children" include stepchildren, adopted children, posthumous children and illegitimate children. The terms "brother" and "sister" and their plurals include stepbrothers, and stepsisters, half brothers and half sisters, and brothers and sisters adopted by the parent of the deceased employee. The terms "grandchild" and "grandchildren" include children of adopted children, and children of stepchildren, but do not include stepchildren of children, stepchildren of stepchildren, or stepchildren of adopted children. The terms "parent" and "parents" include stepparents and the parents by whom the deceased employee was adopted. The terms "grandparent" and "grandparents" include the parents of the parents by whom the deceased employee was adopted, but do not include parents of stepparents, stepparents of parents, or stepparents of stepparents.

(G) If a beneficiary should die or for any other reason cease to be entitled to compensation under this order, the amounts payable to the remaining beneficiaries shall be recast; the amount payable to each for the remainder of the period during which he is entitled to compensation being determined in accordance with the provisions of the preceding paragraphs of this section.

Section 13. Burial expenses. If, as the result of the injury, an employee whose home is in the United States dies while on the Isthmus of Panama or while away from his home or his office, such absence being under instructions from the Panama Canal authorities, and the right to compensation has not ceased, his body, if practicable and if desired by his relatives, and if transportation has not been furnished the employee under Section 11 before his death, shall be embalmed and transported in a hermetically sealed casket to his home. If death occurs on the Isthmus and the body is not transported from the Isthmus, the body shall be interred or cremated on the Isthmus at the expense of the United States or of the Panama Railroad Company.

Section 14. Computation of pay. For the purpose of calculating compensation under this order, the monthly pay of the employee shall be taken as the basis, to be computed as provided hereunder, except that where such monthly pay so computed amounts to \$200.00 or over, \$200.00 shall be taken as the basis for computing compensation. Subject to the maximum herein fixed, monthly pay shall be computed as follows:

(A) If the employee is paid by the year, divide his yearly pay at the time of the injury by twelve;

(B) If the employee is paid by the month, take his monthly pay at the time of the injury;

(C) If the employee is paid by the week, multiply his weekly pay at the time of the injury by 52 and divide the result by 12.

(D) If the employee is paid by the day divide his daily pay at the time of the injury by the number of hours worked per day, and multiply the result by 8. When his daily rate of pay on the basis of eight hours per day has been ascertained, multiply the result by 26.

(E) If the employee is paid by the hour multiply his hourly pay at the time of the injury by eight. When his daily rate of pay on the basis of eight hours per day has been ascertained, multiply the result by 26.

(F) If the employee is paid by his output, find his daily pay at the time of the injury by dividing the total amount earned by him in the employment in which and at the rate of pay at which he was employed at the time of the injury by the number of days he was so employed during the thirty days immediately preceding the injury, then multiply the result by 26, except as provided in paragraph G. In all cases under this paragraph (F) in which the employee works more than eight hours per day and in such other cases as the Governor of the Panama Canal may deem proper he may fix the compensation that shall be paid in case of injury based upon an average wage of employees working eight hours per day in the same occupation as that of the injured employee.

(G) Payments for a fractional part of a month to or on account of employees who were on a per diem, hourly, or piece-work basis, shall be made for regular working days only, except that employees who were at time disability was incurred entitled to pay for holidays will receive pay therefor.

(H) Subsistence shall be included as a part of the pay and commutation therefor at a rate fixed by the Governor of the Panama Canal shall be paid during any period subsistence is not actually furnished to an employee entitled to subsistence.

Section 15. Commutation of periodical payments. Unless it shall appear to the Governor of the Panama Canal to be for the best interest of the United States or of the Panama Railroad Company or for the best interest of the injured employee or the beneficiary, the liability of the United States or the Panama Railway Company for

compensation to such injured employee or beneficiary shall be discharged by the payment of a lump sum which will equal the total sum of the probable future payments, capitalized at their present value calculated at four per cent per annum with annual rests. The probability of the death of the injured employee or the beneficiary before the expiration of the period for which compensation is payable shall be determined according to the American Table of Mortality. The probability of the happening of any other contingency affecting the amount or duration of the compensation shall be disregarded. Upon paying such amount all further liability on the part of the United States or Panama Railroad Company on account of such injury or death shall cease.

Section 16. The true intent and meaning of this order is to provide a fund for the injured employee, or, in the event of his death, for those beneficiaries herein provided for; and to that end payment shall be made directly to the employee as herein provided for, or to the beneficiary as herein provided for, excepting in those cases where such employee or such beneficiary is by reason of lunacy, infancy, or other legal disability not in a position to receive and give legal acquittance for such payment. In all cases of that character where the employee or beneficiary named herein is under any legal disability whatever, so that his receipt and release would not be an acquittance, the Governor of the Panama Canal shall pay the sum which would otherwise go directly to such employee or beneficiary to whomsoever has been qualified by legal proceedings to receive the same for or on account of such employee or beneficiary if any such there be who has made application therefor to the Governor; and in the event that no such application is made to the Governor, then the Governor may appoint some one to receive the money for and on account of such employee or beneficiary so under disability, and may require such person to make such formal application with respect thereto and to furnish such bonds for the security of the money and the performance of his duties as to the Governor may seem proper.

Section 17. Notice of injury or death. Immediately after the injury, the injured employee or some one on his behalf shall give to the immediate superior of such employee notice, written if practicable, of the injury, and if the injury results in the death of the employee, one of the persons entitled to compensation or some person on his behalf shall at once give either to the immediate superior of such employee or to the Governor of the Panama Canal a written notice of such death. The notice shall state the name of the employee, his class of service, the year, month, day and hour when and the particular locality where the injury or death occurred, the cause of the injury or death, the nature of the injury, and the address of the employee and of the person giving the notice. The notice may be given personally or sent by mail.

Failure to promptly give the notice herein specified may, in the discretion of the Governor of the Panama Canal, be decided by him to be a waiver by the employee or his beneficiary of any claim to compensation under this order.

Section 18. Report of injury or death. Immediately after an injury to an employee resulting in his death, or in his probable disability, the immediate superior of the employee shall at once make a report to the Governor of the Panama Canal, containing such information as the Governor of the Panama Canal may, by regulation, require.

Section 19. Claim for compensation. No compensation under this order shall be allowed to any person unless he, or someone on his behalf, shall make a written claim therefor upon the Governor of the Panama Canal within the time specified in Section 21. The claim may be served personally upon or sent by mail either to the Governor of the Panama Canal or to such person as he may, by regulation, require.

Section 20. Contents of claim. The claim shall be signed by or on behalf of the person making the claim and shall state the name of the employee, the age, sex, nationality and class of service of such employee, the year, month, day and hour when and the particular locality where the injury or death occurred, the cause of the injury or death, the nature of the injury, the nature and extent of the disability resulting therefrom; the monthly pay of the employee at the time of the injury, the relationship to the employee of the person claiming to be entitled to compensation, the names and addresses of all persons entitled to compensation on account of such injury or death, and the address of the person making the claim. The claim shall be sworn to by the person entitled to compensation or by the person acting on his behalf, and, except in case of death, or as otherwise provided in regulations prescribed by the Governor of the Panama Canal, shall be accompanied by a certificate of the employee's physician, if any, stating the nature of the injury, and the nature and extent of the disability. The claim shall, wherever possible, be made on forms furnished by the Governor of the Panama Canal, and in addition to the statements above required, shall contain such other information as the Governor of the Panama Canal may require.

The Governor of the Panama Canal may waive the making of and swearing to claims and the inclusion therein of any of the above requirements in such cases as he may deem proper.

Section 21. Time within which claim must be made. Claims for compensation shall be made within sixty days after the beginning of disability resulting from an injury, or, in case of death, within one year after the death. For any reasonable cause shown, the Governor of the Panama Canal may allow claim for injury to be filed within one year after the injury.

No claim for compensation shall be allowed where the disability commences more than six months after the occurrence of the alleged injury, nor where the disability begins after the separation of the employee from the service.

Section 22. Medical examination. After the injury and during disability the employee shall as frequently and at such times and places as may be reasonably required submit himself to examination by a medical officer of the United States or by a physician designated by the Governor of the Panama Canal and paid by the United States or by the Panama Railroad Company, as the case may be. The employee may have a duly qualified physician designated and paid by him present to participate in such examination. If an examination of an employee is ordered while he is away from the Isthmus of Panama, and such order requires him to travel from the place wherein he dwells, then he shall be paid his reasonable traveling and other expenses and loss of wages incurred in order to submit to such examination. If the employee refuses to submit himself for or in any way obstructs any examination, his right to claim compensation under this order shall be suspended until such refusal or obstruction ceases. No compensation shall be payable while such refusal or obstruction continues and such period shall be deducted from the period for which the compensation would otherwise be payable.

Section 23. Disagreement between physicians. In case of any disagreement between the physician making an examination on the part of the United States or the Panama Railroad Company and the employee's physician, the Governor of the Panama Canal shall appoint a third physician. The decision of the majority shall be final. A reasonable fee shall be allowed and paid by the United States or by the Panama Railroad Company, as the case may be, to such third physician if he is not a medical officer of the United States.

Section 24. Assignment of right against third person. If an injury or death for which compensation is payable under this order is caused under circumstances creating a legal liability upon some person other than the United States or the Panama Railroad Company to pay damages therefor, no compensation shall be payable to any beneficiary for such injury or death until he assigns to the United States or to the Panama Railroad Company, as the case may be, any right of action which he may have to enforce such liability of such other person, or any right which he may have to share in any money (or other property) received in satisfaction of such liability of such other person. The United States or the Panama Railroad Company, as the case may be, if it realizes upon such right shall after deducting the amount of any compensation already paid to the beneficiary and the expenses of such realization or collection, pay over to the beneficiary any surplus remaining. Such surplus so paid over shall be credited on future instalments of compensation as they become due. The Governor of the Panama Canal may waive the requirement of such assignment or may waive it for such period as he may deem proper.

Section 25. Assignment of right against Panama Railroad Company. If an injury or death for which compensation is payable under this order is caused under circumstances creating a legal liability upon the Panama Railroad Company to pay damages therefor under the laws of the United States or of any State, Territory or possession of the United States or of the District of Columbia or of any foreign country, no compensation shall be payable to any beneficiary for such injury or death until he releases to the Panama Railroad Company, any right of action which he may have to enforce such liability of the Panama Railroad or until he assigns to the United States or to the Panama Railroad Company, as the case may be, any right which he may have to share in any money (or other property) received in satisfaction of such liability of the Panama Railroad Company. The Governor of the Panama Canal may waive the requirement of such assignment or release for such period as he may deem proper.

Section 26. Assignments and attachments. No claims for compensation under this order shall be assignable, and all compensation and claims therefor shall be exempt from all claims of creditors.

Section 27. Attorneys' fees. No claim for legal services in connection with any claim arising under this order shall be enforceable unless approved by the Governor of the Panama Canal.

Section 28. Modification of allowance of compensation. The Governor of the Panama Canal may at any time review, and, in accordance with his determination thereon, end, diminish, or increase any compensation previously fixed or determined.

Section 29. Recovery of compensation erroneously paid. If any compensation is paid under mistake of law or of fact the Governor of the Panama Canal shall have power to cancel any order under which such compensation has been paid, and shall be entitled to recover whatever has been so paid.

Section 30. Powers of the Governor of the Panama Canal. The Governor of the Panama Canal shall make all necessary rules and regulations for the proper, effective, and economical enforcement of this order, and shall decide all questions arising under this order or in regard to the interpretation thereof. His determination of any fact necessary to or underlying any claim hereunder, shall be final and conclusive.

Section 31. Singular, masculine and person. Wherever used in this order the singular includes the plural and vice versa, and the masculine gender includes the feminine and neuter, and the word "person" includes any firm, association or corporation.

Section 32. Liability of the United States and of the Panama Railroad Company. If the payment of compensation under this order on account of an injury or death is from the funds of the United States, the Panama Railroad Company shall be released and discharged from all liability on account of such injury or death, and if it is from the funds of the Panama Railroad Company, the United States shall be released and discharged from all liability on account of such injury or death.

Section 33. Repeal of laws of the Canal Zone. All laws of the Canal Zone inconsistent with any of the provisions of this order are hereby repealed.⁴²⁶

Section 34. Time of taking effect. This order shall take effect on April 1, 1914.

WOODROW WILSON

THE WHITE HOUSE,
March 20, 1914.

[No. 1902.]

Establishing Regulations Relative to the Payment of Tolls and of bills for Materials, Supplies, Repairs, Harbor Pilotage, Towage, and other services, furnished to vessels by The Panama Canal.

By virtue of the authority vested in me under the Panama Canal Act,⁴²⁷ the following regulations relative to the payment of tolls and of bills for materials, supplies, repairs, harbor pilotage, towage, and other services, furnished to vessels by the Panama Canal, are hereby prescribed:

1. The payment of tolls⁴²⁸ by vessels using the Panama Canal, and the payment for fuel and for other material and supplies sold, and for repairs, harbor pilotage, towage and other services furnished by the Panama Canal to vessels, shall be made to the Collector of the Panama Canal at either the Port of Balboa or Cristobal, except that deposits for tolls may be made with the Treasurer or an Assistant Treasurer⁴²⁹ of the United States to the official credit of the Collector of the Panama Canal, as authorized in Paragraph 6 hereof.

A vessel may enter Gatun Lake from either end of the Canal and may, without passing through the locks at the other end, return to the original point of entry of the Canal without payment of additional tolls.

2. All payments shall be made in lawful money of the United States, but, in order to facilitate such payments, drafts may be accepted for conversion into lawful money under the conditions provided for in Paragraph 5 hereof.

3. Payment of tolls shall be made, or fully secured as provided for in either Paragraph 5 or 6 hereof, before the vessel is allowed to enter any lock of the Panama Canal. All bills for materials, supplies, repairs, harbor pilotage, towage, and other services furnished by the Panama Canal to vessels shall be paid, or fully secured as provided for in either Paragraph 5 or 6 hereof, before clearance papers are issued from the port of departure.⁴³⁰

4. A certificate that the vessel is entitled to pass through the locks of the Canal may be issued to the officer in charge of the operation of the locks and, if desired, to

⁴²⁶ See notes under page 1 of this order.

⁴²⁷ Secs. 5 and 6 (T. & A. 79).

⁴²⁸ Rates of tolls prescribed by Proclamation of Nov. 13, 1912, p. 132.

⁴²⁹ Amendment to this order by order of Jan. 5, 1921, p. 277, provides for insertion after the words "Assistant Treasurer of the United States" wherever they occur in original order, of the words "or any mint, assay office, or Federal Reserve Bank to which the duties and functions of Assistant Treasurers may be transferred by the Secretary of the Treasury under the authority conferred upon him by the act of May 29, 1920 (41 Stat., 655)."

⁴³⁰ Executive Order of Nov. 16, 1914, p. 205, provides for an estimated measurement where undue delay would follow the holding of vessel for measurement. And order of Sept. 29, 1914, p. 201, provided for collection of bills for tolls and other services in cases of vessels owned by the United States, through the Department controlling vessel.

the master of the vessel by the Auditor of the Panama Canal. The Auditor shall certify that the tolls have been paid to the Collector, or that their payment has been secured as provided in either Paragraph 5 or 6 hereof, or that the vessel is entitled to passage. Before a vessel that passes through the Canal is cleared from the port of departure, all statistical data in regard to cargo and passengers required by the regulations prescribed by the Governor of the Panama Canal shall be furnished to the Auditor, or arrangements to furnish same, satisfactory to the Auditor, shall have been made through an agency on the Isthmus. When all bills are paid, or secured as provided in either Paragraph 5 or 6 hereof, and the statistical data furnished or satisfactorily arranged for, the Auditor will issue a certificate to that effect to the port captain charged with the duty of clearing the vessel.

5. Unless, in the opinion of the Governor of the Panama Canal, payment in cash to the Collector of the Panama Canal is necessary for Canal purposes, drafts on banks in the United States under the supervision of the Comptroller of the Currency and otherwise satisfactory to the Governor of the Panama Canal, may be accepted for conversion into cash to effect payment of tolls and for bills for materials and supplies, repairs, harbor pilotage, towage and other services, provided the payment of such drafts is secured by deposit of high-grade bonds with the official of the Panama Canal designated by the Governor of the Panama Canal under the following conditions:

Bonds will be acceptable only from steamship companies having frequent sailings through the Canal or from the agents of several vessels or steamship companies. The bonds deposited by any one agency or company shall be sufficient to cover the tolls on a minimum number of vessels, as fixed by the Governor of the Panama Canal. Bonds of the United States, the Philippines, Porto Rico, and the District of Columbia will be accepted at their par value. If otherwise satisfactory to the Governor of the Panama Canal or his representative, bonds of the Hawaiian Territory, the Philippine Railway Company and those of states, municipalities and high grade railroads, such as are legal investments for savings banks in the States of New York, Massachusetts, Connecticut or New Jersey, will be accepted at 90 per cent of their market value, but not exceeding 90 per cent of their par value.

The Governor of the Panama Canal may refuse to accept coupon bonds and may limit exchanges of bonds by depositors.

6. Steamship companies or agencies may make deposits to the official credit of the Collector of the Panama Canal with the Treasurer or any Assistant Treasurer of the United States to be applied in payment of tolls. The Treasurer or Assistant Treasurer receiving a deposit will forward a copy of the receipt direct to the Auditor of the Panama Canal at Balboa, Canal Zone. The receipt shall specify the vessel or vessels the tolls on which are to be charged against the deposit. Upon request a cable notice will be sent to the Auditor of the Panama Canal. Request in writing that cable notice be sent will be made upon the Treasurer or Assistant Treasurer receiving the deposit. He will telegraph the Washington Office of the Panama Canal, giving the number and date of the certificate of deposit, the amount paid, and the vessel or vessels for which the deposit is made, and state that cable notice is requested. The cost of sending the cable will be paid by the Panama Canal and the fees prescribed for such services will be charged against the deposit. The Auditor of the Panama Canal will issue monthly a certificate of the amount of tolls and fees charged against deposits with the Treasurer or Assistant Treasurer of the United States. Upon such certificate the Collector of the Panama Canal will draw his check for the proper part of the deposits to be covered into the Treasury as moneys received in payment of tolls, or as a credit to the Panama Canal funds as the case may require.

7. A refund of any excess amount deposited in payment of tolls with the Treasurer or Assistant Treasurer of the United States will be made when the steamship company or other agency making the deposit ceases to act for the vessels passing through the canal, or, when, on notice to the Governor, the amount is to be withdrawn.

Application for refund shall be made to the Auditor of the Panama Canal who, upon approval of the Governor, will state the account and certify the amount to be refunded to the Collector of the Panama Canal who shall then draw his check for the amount of the refund to be made.

8. The Governor of the Panama Canal may prescribe such additional detailed regulations as may be necessary and proper.⁴³¹

WOODROW WILSON

THE WHITE HOUSE,
16 April, 1914.

[No. 1917.]

⁴³¹ See Governor's Circular of Aug. 19, 1914, No. 685, relating to deposit of bonds to secure payment of drafts.

Order of the Secretary of War, May 8, 1914, fixing compensation of Levi Monroe Kagy and David Marks, American members of Joint Land Commission.

By direction of the President, it is ordered:

That Levi Monroe Kagy and David Marks, who have been appointed members of the Joint Commission for the appraisal and settlement of damages to property in the Canal Zone, in accordance with the provisions of Articles Six and Fifteen of the Convention between the United States and Panama, concluded November 18, 1903, be allowed Twenty-five (\$25) dollars per day for their services, including all expenses, from the time of their sailing from New York until their return thither; provided that they shall be granted free transportation on the Panama Railroad Steamship Line from New York to the Isthmus and return, free transportation over the Panama Railroad, and such other transportation as may be necessary when traveling on official business on the Isthmus; they shall also be allowed the ordinary privileges of Government employees on the Isthmus, including employees' rates at the hotels of the Panama Canal or the Panama Railroad Company on the Isthmus.

LINDLEY M. GARRISON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., May 8, 1914.

Order of the Secretary of War, May 13, 1914, approving acts and resolutions of the Isthmian Canal Commission.

WAR DEPARTMENT,
Washington, May 13, 1914.

All acts and resolutions of the Isthmian Canal Commission passed since February 28, 1907, in so far as they effect changes in the "Laws of the Canal Zone" or other enactments of the Commission relative to the Government of the Canal Zone prior to March 4, 1905, in so far as they have not been specifically approved or modified, are hereby approved.⁴³²

By order of the President.

LINDLEY M. GARRISON,
Secretary of War.

Relating to Pardons, the Remission of Fines and Forfeitures and other subjects.

By virtue of the authority vested in me,⁴³³ I hereby establish the following Order for the Canal Zone:

SECTION 1. The governor of the Panama Canal is hereby empowered to grant pardons and reprieves for offenses against the laws, orders and regulations of the Canal Zone; and to commute sentences, and remit fines and forfeitures. He may establish a system for paroling prisoners, and alter or amend the same from time to time.⁴³⁴

SECTION 2. The governor may establish regulations to govern the labor and employment of prisoners, and to provide awards for their good behavior, and upon other matters affecting the welfare of the prisoners and their management in the penal institutions of the Canal Zone, and may alter and amend such regulations from time to time.

The existing rules and regulations upon the subjects mentioned in this section shall continue in force until altered or amended by the Governor.⁴³⁵

SECTION 3. This Order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 13 May, 1914.

[No. 1938.]

⁴³² Executive Order of Feb. 28, 1907, p. 57, provided similar approval for period Mar. 4, 1905, to Feb. 28, 1907. See also sec. 2, Panama Canal Act (T. & A. 79), ratifying all laws, orders, etc., promulgated in the Canal Zone by order of the President.

⁴³³ Sec. 7, Panama Canal Act (T. & A. 79).

⁴³⁴ Under Executive Order of May 9, 1904, p. 20, the Governor of the Canal Zone was vested with power to grant reprieves and pardons. This power passed to the Chairman by Executive Order of Apr. 2, 1907, p. 65. See also secs. 54-55 of Penal Code (L. C. Z. 101), authorizing the Governor to issue permits to be at liberty to persons sentenced to penitentiary as habitual criminals, and who have reformed. Refer also to act No. 12 of the Commission, creating a penitentiary (L. C. Z. 90).

⁴³⁵ Resolution of the Commission of Jan. 30, 1908, p. 1644, Minutes of Commission, provided a gratuity of \$7.50 for each indigent prisoner discharged from the penitentiary. By letter ballot of Jan. 3, 1904, the Commission revised this arrangement to a payment of \$5 in cash, and clothing up to an additional \$20, to all prisoners discharged from the penitentiary. The latter arrangement is still in force, as well as the Executive Order of July 30, 1909, p. 90, providing "good time" awards. See also secs. 233 to 295, pp. 70-80 of booklet entitled "Rules and Regulations for the Government of the Canal Zone Police and Firemen," approved by the Governor as of Jan. 15, 1915.

To Create a Committee to Formally and Officially Open the Panama Canal.

By virtue of authority vested in me by the Act approved April 6, 1914, entitled "An Act Making appropriations to supply urgent deficiencies in appropriations for the fiscal year nineteen hundred and fourteen and for prior years, and for other purposes," a committee of six members is hereby created to arrange and provide suitable ceremonies for the official and formal opening of the Panama Canal, as is provided for in Section 4 of the Panama Canal Act. The Committee shall be composed of persons who were members of the Isthmian Canal Commission. The committee shall be known and referred to as the "Committee for the Formal and Official Opening of the Panama Canal." It shall have a chairman and vice chairman, but shall perform its duties under the direction of the Governor of the Panama Canal.

The persons named below are hereby appointed members of this committee:⁴³⁶

Colonel George W. Goethals, U. S. A.

Honorable Richard L. Metcalfe.

General William C. Gorgas, U. S. A.

Colonel H. F. Hodges, U. S. A.

Lieutenant Colonel William L. Sibert, U. S. A.

Civil Engineer H. H. Rousseau, U. S. N.

Colonel George W. Goethals, now Governor of the Panama Canal, shall be Chairman of this committee.

Honorable Richard L. Metcalfe shall be Vice Chairman.

The members of said committee shall each receive salary at the rate of ten thousand dollars per annum from April 1, 1914, to December 31, 1914, inclusive, and such necessary traveling and living expenses during the period from April 1, 1914, to January 31, 1915, when on duty connected with the work of providing for formally and officially opening the Panama Canal,⁴³⁷ as may be approved by the Secretary of War. The salary fixed as above shall include any salary to which any member of this committee may be entitled by reason of his appointment to or employment in any other position under the United States for the period above provided for, and the amount of such salary shall be deducted from the salary fixed as above. The salary to be paid May 31, 1914, shall be equal to two months' pay in a lump sum, less the amount of any other salary for the months of April and May, 1914. The word "salary" as used herein, in determining the amount to be deducted, shall not be construed to include additional emoluments, such as quarters, heat, light, etc., but shall be confined to actual pay.

The committee is authorized to spend such sums as may be available for printing, postage, correspondence, employment of clerks, and other necessary expenses connected with formally and officially opening the Panama Canal, as may be approved by the Secretary of War, it being understood that the sum to be expended for traveling, living, and other expenses shall not exceed ten thousand dollars, and that the total expenditure authorized by this order shall not exceed twenty-five thousand dollars.

The payments herein authorized shall be made made from such appropriation or appropriations for the construction, completion, and sanitation of the Panama Canal as may be directed by the Governor of the Panama Canal.

The payments authorized hereunder shall be made by such disbursing officer of the Panama Canal as the Governor shall designate.

The Secretary of War shall provide the manner in which the amount to be expended for traveling, living, and other expenses, authorized by him shall be certified to, and, when such expenditures are so certified to, they shall be paid without further vouchers therefor.

WOODROW WILSON.

THE WHITE HOUSE, 20 May, 1914.

[No. 1944.]

Order of the President, May 26, 1914, setting apart a site for Balboa Naval Radio Station.

The area of land hereinafter described, situated in the Canal Zone, is hereby set apart and assigned to the uses and purposes of a radio station and other naval purposes

⁴³⁶ The persons named were all members of the Isthmian Canal Commission as of Apr. 1, 1914, the date when the Commission ceased to exist, as provided in Executive Order of Jan. 27, 1914, p. 155.

⁴³⁷ The Panama Canal was officially and formally opened by the Proclamation of President of July 12, 1920, p. 274, without any of the ceremony provided for by the several acts and Executive Orders on the subject.

under the control of the Secretary of the Navy;⁴³⁸ but said area shall be subject to the civil jurisdiction of the Canal Zone authorities in conformity with the Panama Canal Act.⁴³⁹

The said area is described as follows:

BALBOA NAVAL RADIO STATION.

Starting at a concrete and rail monument marked "W" on the map, and located at the southeast corner of the oil fuel storage site on Balboa dump, go on an azimuth of 307°—40' for a distance of 1050 feet to a similar monument marked "Z" on the map; thence on an azimuth of 217°—40' for a distance of 780 feet to a similar monument located on top of the dump on the shore of the bay and marked "V" on the map; thence along the top of the dump following the shore to a similar monument marked "Y" on the map; thence on an azimuth of 37°—40' and for a distance of 1120 feet to the point of the beginning; all as shown by the blue print, No. 3836, dated January 30, 1914, issued by the Department of Construction and Engineering, Isthmian Canal Commission, office of the Assistant to the Chief Engineer.

WOODROW WILSON.

THE WHITE HOUSE, 26 May, 1914.

[No. 1948.]

Order of the President, June 9, 1914, fixing hours of work on Saturdays from June 15 to September 15, each year in the Federal Service.

It is hereby ordered that from June 15th to September 15th of each year, until further notice, four hours, exclusive of time for luncheon, shall constitute a day's work on Saturdays for all clerks and other employees of the Federal Government, wherever employed; and all Executive or other orders in conflict herewith, except the Executive Order of April 4, 1908, relating to certain naval stations, are hereby revoked.

Provided, however, that this Order shall not apply to any bureau or office of the Government, or to any of the clerks or other employees thereof, that may for specific public reasons be excepted therefrom by the head of the Department having supervision or control of such bureau or office,⁴⁴⁰ or where the same would be inconsistent with the provisions of existing law.

WOODROW WILSON.

THE WHITE HOUSE, June 9, 1914.

[No. 1962.]

Order of the Secretary of War, June 16, 1914, excepting Isthmian employees from order fixing working hours on Saturdays from June 15 to September 15, in the Federal Service.

WAR DEPARTMENT,
Washington, D. C., June 16, 1914.

By virtue of the authority contained in the second paragraph of Executive Order No. 1962, signed by the President June 9, 1914,⁴⁴¹ it is hereby ordered that said Executive Order No. 1962 shall have no application to employees upon the Isthmus of Panama.

LINDLEY M. GARRISON,
Secretary of War.

Amending the Civil Service Rules.⁴⁴²

Section 10 of Rule X is hereby amended to read as follows:

10. An officer or employee occupying a competitive position in the Philippine classified service, who has served three years or more therein, may be transferred to the Federal classified service, subject to the provisions of these rules; but the Com-

⁴³⁸ Transferred to jurisdiction of the Secretary of War for military purposes by Executive Order of July 25, 1919, p. 252.

⁴³⁹ Sec. 7 (T. & A. 79).

⁴⁴⁰ Order of the Secretary of War of June 16, 1914, p. 176, provided that above order should have no application to employees upon the Isthmus of Panama.

⁴⁴¹ p. 176.

⁴⁴² See also order of Jan. 19, 1915, p. 207, on this subject.

mission may authorize the transfer of an officer or employee who has served two years in the Philippine classified service and who has been separated by necessary reduction of force or by displacement by a Filipino, if he is especially recommended by the War Department because of his efficiency and good character. In all cases of proposed transfer from the Philippine classified service the War Department shall furnish the Commission, for its consideration, all relevant information contained in its files, together with the service record of the employee.

This amendment, which is recommended by the Commission with the concurrence of the Bureau of Insular Affairs, permits approval of the transfer of meritorious employees who are forced out of the service after having served two years, the minimum requirement having been three years heretofore.

The following sections are hereby added to Rule X:

11. The Commission may, in its discretion, authorize the transfer of employees from the civil service of Porto Rico to that of the United States, subject to the limitations respecting transfer within the civil service of the United States.

12. No person appointed in the Isthmian Canal service otherwise than through competitive examination, or by transfer or promotion from a competitive position, shall be transferred to a competitive position, unless he was classified by the executive order of November 15, 1904, in a position which was then and is at the time of the proposed transfer in the competitive service: Provided that artisans who are citizens of the United States, who have rendered one year's satisfactory service on the Isthmus of Panama, and who may be recommended, upon discharge, for transfer, may be transferred without examination within three years to corresponding classified positions in or under any department or office, subject to the provisions of these rules.

13. In a case of exceptional merit where an employee has rendered long and faithful service beyond the seas in a civil capacity, under conditions such that his appointment and services were not in contravention of the civil-service rules or executive orders, he may be given a classified status by the head of the department or office in which such service was rendered, on certification by such officer that the case is one of exceptional merit and with the approval of the Commission. The provisions of this section may be applied in the case of Philippine constabulary officers who have rendered at least seven years of efficient and satisfactory service.

The foregoing provisions are now contained in Executive Orders and are made a part of the Civil Service Rules upon recommendation of the Civil Service Commission that they may be more easily referred to and greater publicity given to their existence.

WOODROW WILSON.

THE WHITE HOUSE, 15 June, 1914.

[No. 1964.]

Relating to Certain Duties of the Clerk of the District Court and his Assistant.

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone:

SECTION I. The Clerk of the District Court ⁴⁴³ is ex officio Registrar of Property of the Canal Zone and, as such, is required to perform the duties heretofore exercised by and imposed on the Registrar of Property, under preexisting laws of the Canal Zone;⁴⁴⁴ and the Assistant Clerk of the District Court shall have and exercise like powers in the name of his principal. The acts heretofore performed as Registrar of Property by the Clerk of the District Court, or by his Assistant, are hereby declared to be valid and binding.

SECTION II. The Clerk of the District Court and his Assistant, are authorized to perform the duties heretofore imposed on the Clerks of the Circuit Courts of the Canal Zone, in respect to the issuing and recording of marriage licenses, and other matters relating thereto.⁴⁴⁵ All marriage licenses heretofore issued by the Clerk of the District Court, or by his Assistant, are hereby declared valid and binding.

SECTION III. This order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 3 July, 1914.

[No. 1975.]

⁴⁴³ See reference to, in secs. 8 and 9, Panama Canal Act (T. & A. 79).

⁴⁴⁴ By Executive Order of Feb. 2, 1911, p. 104.

⁴⁴⁵ By Executive Order of May 31, 1907, p. 65. See also general duties of clerk defined in act No. 1 of the Commission (L. C. Z. 9).

To Require Ocean-going Vessels to be Fitted with Wireless Apparatus.⁴⁴⁶

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

SECTION 1. From and after the first day of July, 1915, it shall be unlawful for any ocean-going steamer of the United States, or of any foreign country, carrying fifty or more persons, including passengers and crew, to leave or attempt to leave any port of the Canal Zone unless such steamer shall be equipped with an efficient apparatus for radio communication in good working order in charge of a person skilled in the use of such apparatus, which apparatus shall be capable of transmitting and receiving messages for a distance of at least one hundred miles, night or day; provided that the provisions of this order shall not apply to steamers plying only between the Canal Zone and ports less than two hundred miles therefrom.

SECTION 2. The master or other person being in charge of such vessel which leaves or attempts to leave any port of the Canal Zone in violation of any of the provisions of this order shall, upon conviction, be fined in a sum not to exceed Five Thousand Dollars (\$5,000.00), and any such fine shall be a lien upon such vessel, and the vessel may be liable therefor in the District Court of the Canal Zone, and the leaving or attempting to leave by any vessel from each and every port of the Canal Zone shall constitute a separate offense.

SECTION 3. This order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 9 July, 1914.

[No. 1988.]

Rules and Regulations for the Operation and Navigation of the Panama Canal and Approaches Thereto, Including all Waters under its Jurisdiction.⁴⁴⁷

GENERAL REGULATIONS.

1. The following Rules and Regulations pertaining to the Operation and Navigation of the Panama Canal are published for the benefit of all vessels coming within its jurisdiction, and masters of vessels, or their agents, one or both, desiring to use the Canal and terminal ports, or any of the waters, must observe them.

2. Any person violating any of the provisions of the rules and regulations established hereunder shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of five hundred dollars (\$500.00),⁴⁴⁸ or by imprisonment not to exceed six months, or by both such fine and imprisonment, at the discretion of the court.

3. After entering, no vessel shall leave one of the terminal ports for the purpose of passing further into the Canal until authority in proper form has been given by the Captain of the Port.⁴⁴⁹

4. The Canal authorities may deny any vessel the privilege of passing through the Canal the cargo of which is of such a nature that it might, in any way, endanger the locks, wharves, equipment, or any part of the Canal, by being explosive or highly inflammable. The further right is reserved to them to impose such safety regulations as they may see fit upon any such vessel while in Canal waters.

5. Vessels desiring to pass through the Canal, whose cargoes consist of high explosives, should, when practicable, so report and obtain permission from the Canal authorities to use the Canal before leaving their ports of departure.

6. In any case where the condition of the cargo, hull, or machinery is such that it is liable to endanger or obstruct the Canal, permission to pass through may be refused until steps have been taken to remedy the defect.

7. All vessels having a specially dangerous cargo, such as explosives or oils of any kind, shall fly a red flag by day at the masthead and hoist a red lantern at night.

8. The following information must be ready for immediate delivery upon the arrival of the ship in port: name of vessel, nationality, name of master, date and time

⁴⁴⁶ See secs. 40-51 of Navigation Rules and Regulations, relating to radio communication and report, p. 181.

⁴⁴⁷ Ordinance of Commission of Dec. 5, 1910 (L. C. Z. 279), with amendment of Dec. 16, 1912, published in pamphlet form by the Commission, is superseded by this order.

⁴⁴⁸ Amended by Executive Order of Sept. 3, 1914, p. 199, so as to read "not to exceed five hundred dollars (\$500.00)."

⁴⁴⁹ Duties of Port Captains defined by Governor's Circular No. 660-33. See also Circular No. 679-Rev., relating to Customs Service, by which Port Captains are, *ex officio*, officers of the Customs Service for the purpose of entering and clearing vessels. In connection with orders relative to Port Captains, see Executive Order of the Governor of the Canal Zone of Dec. 8, 1905, relating to harbor masters.

of arrival, port of departure, date of departure, port of destination, length, draft, beam, registered tonnage, crew and passenger list, and character of cargo; the bill of health should also be ready for presentation.

9. The Canal authorities may dispatch vessels through the Canal in any order and at any time they may see fit; priority of arrival at a terminal does not give any vessel the right to pass through the Canal ahead of another that may arrive later, although this will be a consideration in determining the order of passage.

10. The Canal authorities may hold a vessel for the purpose of investigating any report made against her by the proper persons, for the violation of the rules of the Canal or the laws of the Canal Zone, or of the United States, or for the investigation or adjustment of any claims or disputes that may arise on either side; but no vessel shall have any claim for damages against the Canal for any delay in consequence thereof.

PILOTS AND MOVEMENTS OF VESSELS.

11. Vessels will not be allowed to enter or depart from terminal ports between sundown and sunrise without having obtained permission from the proper authorities. This will not be interpreted to mean that a vessel in danger or distress will be prohibited from entering a terminal port at any time in case of necessity or emergency; but such vessel should, when practicable, give due notice in advance, by radio or otherwise, and obtain a pilot if possible; nor shall this be interpreted to prevent a vessel from anchoring just inside of the breakwater in the outer harbor at the Atlantic terminal, or to seaward of the entrance to the dredged channel on the Pacific side, between sundown and sunrise.

12. Except when exempted from the operation of this rule by the Governor of the Panama Canal, no vessel will be allowed to pass through the Canal, enter or leave a terminal port, maneuver, shift berth, go alongside of or leave any wharf or dock in Canal waters without having a regularly authorized Government pilot on board.

13. Pilotage for vessels in transit through the Canal will be free, nor will they be charged pilotage for entering or leaving a terminal port when it is for the sole purpose of passing through the Canal; but should any such vessel, while in Canal waters, discharge or receive freight or passengers, or take on board supplies, provisions, stores, or fuel, or remain for the purpose of effecting repairs, or make either terminal a port of call, she may be liable for entrance or departure pilotage, as the Canal authorities may direct.

14. Pilotage in and out of the Atlantic and Pacific terminals of the Canal is compulsory, and all vessels, unless otherwise exempted, will be compelled to take a regular Government pilot upon entering or leaving. The fact that the master or any officer of any vessel holds a pilot's license for any of the waters of the Canal Zone will not authorize the vessel to enter without taking a Government pilot.

15. No person, steamer, company, or corporation will be allowed to maintain or employ pilots in Canal waters for the exclusive use of their own or any other vessels; all pilots, without exception, must be duly authorized and licensed by the Canal authorities and be in the employ of the Canal. This shall not be interpreted to mean that the Canal authorities shall be prohibited from issuing restricted pilot licenses for small craft in Canal waters, or any other that they may see fit.

16. Pilots will meet incoming vessels inside of the breakwaters at the Atlantic terminal and outside of the seaward end of the dredged channel at the Pacific terminal; should there be any delay, vessels may anchor just inside of the Atlantic breakwaters or to seaward of the Canal entrance on the Pacific side, make the usual signal for a pilot, and await his arrival. Should a vessel desire a pilot to meet her outside of the Atlantic breakwaters, she should remain there and make signal to this effect.

17. Whenever practicable, vessels should send notification of the probable time of their arrival, by radio or otherwise, so that pilots may meet them promptly.

18. All vessels entering port must take the berths or docks assigned them by the Captain of the Port, and they will not be allowed to shift berths or moorings without the proper permission.

19. Except in the prescribed limits in Gatun Lake and adjacent waters, no vessel will be allowed to anchor in any part of the Canal, nor on any of the marked ranges; should an emergency arise wherein it may be necessary to let go an anchor, whenever practicable the pilot should be consulted before doing so.

20. At all times when a vessel is under way in the terminal ports or in transit through the Canal, except while passing through the locks, with a duly accredited pilot on board, the captain or master of a vessel will be held solely responsible for the safety, handling, and proper navigation of the vessel; the pilot is to be considered as being

on board solely in an advisory capacity, but masters of vessels must abide by the rules and regulations of the Canal, as interpreted to them by the pilots.⁴⁵⁰

21. The pilot shall be freely consulted at all times to insure safety in navigation, and that no accident or damage result from ignorance on the part of the master or officers of the vessel in transit; and should any such master, officer, or person connected with the ship give, or cause to be given, any order, or direct any change of speed or direction of the ship on his own initiative, without the knowledge of the pilot, which may result in damage to his own or any other vessel, dredger, or property of any kind, or endanger or block the Canal, or any of its equipment, he will be held strictly responsible, and the vessel itself may be held by legal process until settlement in full shall have been made to cover any loss or damage that may have resulted in consequence thereof.

22. Inasmuch as every vessel has its own individual peculiarities in handling, answering her helm, variation in headway due to speed, it shall be the duty of the master of the vessel, or his qualified representative, to be present at all times on the bridge of the ship to keep the pilot informed in regard to these matters, so that the pilot may be best qualified to give advice in regard to navigating the ship safely.

23. The pilot should not only be freely consulted at all times on matters relating to the navigation of the ship, but to the rules and regulations pertaining to the same, to signals, locks, weather, or other matters of importance relating to the movements of the vessel. While on board he is the properly qualified representative of the Canal authorities in these matters, and should any accident or damage result from failure to consult him, or from not following his advice, the vessel shall be held responsible for such accident or damage.

24. The pilot must inform the master or captain that his (the pilot's) experience and knowledge of the Canal is at his (the master's or captain's) disposal, and that inasmuch as he (the pilot) is not in a position to know the defects, difficulties, or eccentricities of the vessel in maneuvering, while getting underway, or in transit, the responsibility for navigating the vessel is entirely in the hands of the master or captain, except when passing through the locks.

25. When in the opinion of the pilot, the master or captain, or their representatives, shall fail to follow his advice and thereby endanger his own or any other vessel, or any part of the Canal or its equipment, the pilot shall then direct the master or captain of such vessel to stop, anchor, or moor until the facts have been laid before the Canal authorities.

26. Pilots shall conform to such other rules as shall be prescribed for their guidance by the Governor of the Panama Canal.⁴⁵¹

PREPARATION FOR AND TRANSIT THROUGH THE CANAL.

27. Vessels shall, at all times, when under way in Canal waters, when passing through the locks, or moored temporarily in transit through the Canal, keep a full watch on deck and in the engine room, in the same manner in which they are kept at sea.

28. While a vessel is under way in Canal waters, no one shall be allowed on the bridge or in the pilot house except the pilot and other representatives of the Canal, the master and such officers and crew of the ship as may be necessary for her management, direction, and safety. Under no condition will any passenger or any other unauthorized person be allowed on the bridge or in the pilot house.

29. Before beginning the passage of the Canal, vessels will be required to have hawsers, lines, and fenders ready for passing through the locks, for warping, towing, or mooring, as the case may be, and will have both anchors ready for letting go. During the passage, at all times while the vessel is under way or moored against the lock walls, her deck winches, capstans, or other power for handling lines, as well as her mooring bits, deck chocks, cleats, hawse pipes, etc., shall be ready for handling ship to the exclusion of all other work.

30. At least one boat for handling lines shall be kept ready for lowering.

31. Should any part of a vessel's engines, machinery, condensers, boilers, shafts, propellers, steering gear, valves, hull, equipment, or anything else be in such condition that it might, through failure, interfere to prevent or retard a vessel's passage through the Canal, such fact must be presented to the Captain of the Port before a vessel will be allowed to enter.

⁴⁵⁰ Amended by Executive Order of July 26, 1918, p. 240.

⁴⁵¹ See Governor's Circular No. 644, includes matters relating to licenses of pilots. For previous orders on subject of pilots, see Executive Order of the Governor of the Canal Zone of Dec. 8, 1905, as amended by the Executive Order of Oct. 2, 1909, p. 92. See also Circular No. 660-47 establishing a Board on Pilot Affairs; Circular No. 681 relating to pilot service; and Circular No. 712; relating to detail of pilots for duty as lock pilots.

32. All sailing craft, vessels whose machinery may be in bad condition or disabled, and vessels without motive power, must be towed through all parts of the Canal lying between the entrances, for which service an additional charge will be imposed.

33. When passing through the locks, vessels will habitually be towed by Canal equipment. In exceptional instances, as when such equipment is not available, or in case of very small vessels, special permission to use the vessel's own motive power may be given by the Governor. Without such special permission, the vessel's motive power will not be used while passing the locks.

34. Upon approaching the lock, vessels will moor against the middle approach wall with the bow at least fifty feet from the nearest fender chain. They will then be taken in charge by the lock force and made ready for passage through the locks.

35. When these regulations are complied with in all respects, responsibility for handling vessels through the locks will rest with the Canal operating force, but the crew and officers will be required to render such assistance as may be necessary to supplement the lock force. To assist in insuring safety of passage, the lock force will take complete supervision of the engine room, even to the extent of sealing the engines if the Governor shall so direct.

36. The Governor of the Panama Canal is hereby authorized to issue from time to time orders regulating the procedure in passing vessels through the locks, and the details of the supervision which will be exercised by the lock force. Such orders when issued shall have the force of these regulations.

37. In cases where special permission to use the vessel's own motive power has been given by the Governor, he shall indicate what precautions must be taken to insure safety in passing through the locks. His directions as to such precautions must be observed strictly and in every detail.

38. Vessels will be liable for any damage to Canal structures or equipment while passing through the locks, caused through disregard or noncompliance of these rules and regulations or any orders which may be issued by the Governor to regulate such passage. The Panama Canal will not be held liable for any damage to the vessel occasioned by such disregard or noncompliance.

39. Masters of vessels will not allow anyone to take passage on their ships while passing through the Canal, except the ship's officers, crew, and duly accredited passengers, and such officials and other persons as may be designated by the Canal authorities.

RADIO COMMUNICATION AND REPORT.⁴⁵²

40. As soon as radio communication can be established with the Canal, vessels should report their names, nationality, length, draft, tonnage, whether or not they desire to pass through the Canal, require coal, provisions, supplies, repairs, to go alongside of a wharf, the use of tugs, probable time of arrival, length of stay in port, or any other matters of importance or interest. If this information has been previously communicated, through agents or otherwise, to the Captain of the Port, it will not be necessary to report by radio; but the probable time of arrival should always be sent.

41. Control of radio communication is entirely in the hands of the radio shore stations. No vessel will be allowed to interfere in the slightest degree with the Canal radio stations; upon an order being received by a vessel at any time while within the waters under the control of the Canal to discontinue using radio, even if in the midst of transmission of a message, she shall immediately comply.

42. Upon a ship's arriving within the 15-mile limit, and until leaving the 15-mile limit of the Canal Zone, she shall transmit only with low power, not exceeding $\frac{1}{2}$ K. W.

43. Messages to stations will be sent only to Colon station (NAX) when in Gatun locks and to northward thereof, and only to Balboa station (NPJ) when in Miraflores locks and to southward thereof; between these two points ships may work to either station, preferably to the nearer one; the high power station (Darien) at Radio, will not handle commercial work and will not be called for Canal business except in case of emergency.

44. All messages between ships in the Canal Zone and ships at sea must be forwarded through the nearer shore station.

45. Messages from ships in the Caribbean Sea for ships in the Pacific waters, or vice versa, shall be routed through the Canal Zone shore stations.

46. All vessels fitted with radio, after leaving the terminal harbor to pass through the Canal, shall keep an operator on watch until the further terminal harbor has been reached; this applies to the time when they are anchored in Gatun Lake, while pass-

⁴⁵² Executive Order of July 9, 1914, p. 178, requires ocean-going vessels to be equipped with wireless. See amendment to section 40, July 27, 1921, p. 289.

ing through the locks, or moored to the lock walls, or to any of the wharves in the Canal proper, as well as when they are under way. Messages relating to the ship's movements and the Canal business shall take precedence over all commercial messages.

47. Pilots on vessels passing through the Canal shall have the right to use a vessel's radio freely for the transaction of the Canal business.

48. Under the direction of the pilots, vessels will from time to time report their progress through the Canal; accidents to machinery, propellers, steering gear, equipment, or anything else that may delay them or require assistance; any sickness or casualties that require medical attendance from Canal officials; or any other matters of importance that may arise.

49. No charges will be imposed against the Canal by vessels receiving or sending messages in relation to Canal business.⁴⁵³

50. No vessel will be allowed to communicate with any lock or signal station while in transit through the Canal, except through the pilot; all messages of any kind must be sent through him. This does not apply to vessels moored at the terminals at Cristobal or Balboa, before entering or after having passed through the Canal, which may wish to communicate through the terminal stations.

51. Vessels in transit through the Canal can communicate with the locks and signal stations, through the pilots, both by the international code and special signals; information on this subject may be obtained from the Governor of the Panama Canal.

ACCIDENTS OR DEFECTS.

52. If any defect in any part of a vessel's hull, machinery, steering gear, or equipment, be discovered while in transit through the Canal, of such a serious nature that it might interfere with the further passage of the vessel, or be liable to block the Canal, the vessel shall stop and, if practicable, be anchored or moored at the first available place. A full report shall immediately be made to the Superintendent of Transportation, through the Captain of the Port, stating fully the cause and nature of the trouble, probable delay, and request for assistance if it be necessary.

53. Under any and all circumstances, whenever a vessel is liable to become unmanageable from any weakness, or damage to her machinery, steering gear, or for any other reason, she shall immediately, through the pilot, request the assistance of a tug.

FIREARMS.

54. No firearms of any kind shall be discharged while in transit through the Canal or in Canal waters, and every precaution will be taken to prevent this.

SUBSISTENCE OF PILOTS.

55. Pilots and other authorized persons on duty, belonging to the Canal service, shall be subsisted without charge while on board vessels in transit through the Canal.

MAINTENANCE OF TUGS AND OTHER FLOATING EQUIPMENT.

56. No vessel, company, nor individual will be authorized to maintain or operate permanently any tugs, launches, lighters, or floating equipment of any kind within the Canal waters without permission from the Governor; nor shall any small craft or boat of any kind be operated without the proper authority from him.

CLAIMS.

57. All claims for damages arising from injury to vessels, cargo, or passengers from the passing of vessels through the locks under the control of those operating them in accordance with the rules and regulations governing the operation of the Panama Canal, shall be adjusted by mutual agreement when practicable, between the Panama Canal and the passengers, owners, agents or underwriters of the vessel, or owners, agents or underwriters of the cargo of the vessel, as the respective interests may appear.

58. To facilitate the adjustment of such claims the Board of Local Inspectors,⁴⁵⁴

⁴⁵³ Amended by Executive Order of Nov. 4, 1914, p. 203.

⁴⁵⁴ The Board of Local Inspectors was created by Executive Order of Oct. 2, 1909, p. 92, authorized to administer oaths by Executive Order of Feb. 8, 1910, p. 96; charged with inspection of steam vessels by Executive Order of July 21, 1911, p. 113. Compilation of duties of the Board given in Governor's Circular No. 644.

together with an officer or employee detailed from the Accounting Department to assist the Board, shall immediately proceed to investigate and report upon all accidents to vessels in the locks, which may result in claims for damages against the Panama Canal under the provisions of Section 5 of the Panama Canal Act.

59. The Board of Local Inspectors or any member thereof, acting for the Board, shall have authority to summon witnesses and administer oaths to such witnesses at any hearing held by such Board, and the attendance of witnesses may be compelled by process of court on application of the Board to the District Judge.

60. The findings of the Board shall be expressed in writing and reported to the Governor and a certified copy thereof immediately sent to the Auditor. If the finding of the Board is against the Panama Canal, the Auditor may proceed at once to effect a settlement with the claimants, if practicable, but such settlement shall be subject to the approval of the Governor. When the settlement is effected immediate payment of the claim shall be made, if there is an appropriation available for such purpose. In case of disagreement suit may be brought by the claimant in the District Court of the Canal Zone, against the Governor of the Panama Canal, in conformity with Section 5 of the Panama Canal Act.⁴⁵⁵

61. The Governor of the Panama Canal is authorized to issue such detailed rules, not inconsistent with this order, governing the duties of the Board and the adjustment of claims.⁴⁵⁶

MEASUREMENT OF VESSELS.

62. The rules for the measurement of vessels, to determine their tonnage, will be found in the proclamation of the President dated November 21, 1913.⁴⁵⁷

AIDS TO NAVIGATION.⁴⁵⁸

63. In general, the channels of the Canal, except Culebra Cut, are marked by double ranges, which are set a little to the starboard side of the channel, so that no matter in which direction a vessel may be going, there will be a range available ahead.

64. The sides of the channels are marked by red and black buoys, in accordance with the system in vogue in the United States, with the red buoys on the starboard hand on entering from seaward, and the black buoys on the port. The lock at Pedro Miguel is the dividing line between the Atlantic and Pacific systems; that is to say, that after passing through the locks, red and black buoys will be found on the opposite sides of the channels to those on which they were before reaching the locks.

65. All lighted ranges show flashing or intermittent white lights; the red lighted buoys show flashing or intermittent red lights; the black lighted buoys show flashing or intermittent white lights; beacons show red or white flashing or intermittent lights, depending upon the side of the channel upon which they are situated. Further information in regard to the navigation of the Canal can be obtained upon application to the Superintendent of Transportation or the Captains of the Ports.

RULES OF THE ROAD, WHISTLE AND OTHER SIGNALS, AND SPEED REGULATIONS RELATING TO THE NAVIGATION OF THE CANAL AND APPROACHES THERETO.

66. In the following rules every steam vessel which is under sail and not under steam is considered a sailing vessel; and every vessel under her own motive power, whether under sail or not, is to be considered a steam vessel.

67. The words "steam vessel" and "steamer" shall include every vessel propelled by machinery.

68. A vessel is under way, within the meaning of these rules, when she is not at anchor, moored, or aground.

69. Risk of collision can, when circumstances permit, be determined by carefully watching the bearings of an approaching vessel by compass, or otherwise; if the courses be converging and the bearing does not appreciably change, such risk should be deemed to exist.

70. A steam vessel shall be provided with an efficient whistle or siren, sounded by sound or some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and a sailing vessel with an efficient fog horn; both shall be supplied with an efficient bell.

⁴⁵⁵ T. & A. 79.

⁴⁵⁶ Governor's Circular No. 720 relates to adjustment of claims for damages to vessels.

⁴⁵⁷ p. 154.

⁴⁵⁸ See the 643 series of circulars *in re* aids to navigation or notices to mariners.

71. A sailing vessel of twenty tons gross tonnage or upward shall be provided with a similar fog horn and bell.

72. Motor boats shall be divided into classes as follows, according to the length, which shall be measured from end to end:

Class I. Less than 26 feet.

Class II. 26 feet or over, but less than 40 feet.

Class III. 40 feet or over, but less than 65 feet.

73. All motor boats shall be provided with a whistle or other mechanical sound-producing device, capable of making a blast of at least two seconds' duration, and in addition, classes II and III shall be provided with an efficient fog horn and fog bell, the latter to be at least eight inches across the mouth.

74. A short blast of the whistle shall mean a blast of about one second's duration, and a prolonged blast of the whistle shall mean a blast of from four to six seconds' duration.

75. One short blast of the whistle signifies intention of or assent to steamer first giving the signal to direct course to her own starboard, except when two steamers are approaching each other at right angles or obliquely, when it signifies intention of steamer which is to starboard of the other to hold course and speed.

76. Two short blasts of the whistle signify intention of or assent to steamer first giving the signal to direct course to her own port, except when steamers are approaching each other at right angles or obliquely, when the signal signifies desire of or assent to steamer which is to the port of the other to cross the bow of the steamer to starboard.

77. Three short blasts of the whistle shall mean: "My engines are going at full speed astern."

78. When vessels are in sight of one another a steam vessel under way whose engines are going at full speed astern shall indicate that fact by three short blasts of the whistle.

79. If, when vessels are approaching each other, either vessel fails to understand the course or intention of the other, from any cause, the vessel so in doubt shall immediately signify the same by making the danger signal, namely: several short and rapid blasts, not less than four, on the steam whistle.

80. Whenever the danger signal is given, the engines of both steamers shall be stopped and backed until the headway of the steamers has been fully checked; nor shall the engines of either steamer be again started ahead until the steamers can safely pass each other, and the proper signals for passing have been given, answered, and understood.

81. Steam vessels are forbidden to use what has become technically known among pilots as "cross signals"; that is, answering one whistle with two, and answering two whistles with one. In all cases, and under all circumstances, a pilot receiving either of the whistle signals provided in these rules, which for any reason he deems injudicious to comply with, instead of answering it with a cross signal, shall at once sound the danger signal and observe the rule applying thereto.

82. The signals for passing, by blowing the whistle, shall be given and answered by vessels, in compliance with these rules, not only when meeting head on, or nearly so, but at all times when the vessels are in sight of each other, when passing or meeting at a distance within a half mile of each other, and whether passing to starboard or port.

83. The whistle signals provided in the rules for steam vessels meeting, passing, or overtaking, are never to be used except when steamers are in sight of each other, and the course and position of each can be determined in the daytime by a sight of the vessel itself, or at night by seeing its signal lights, except in cases hereafter mentioned, where vessels are approaching a turn in the Canal. In fog, mist, or heavy rainstorms, when vessels can not see each other, fog signals only must be given.

84. When steam vessels are approaching each other head on, or nearly so, it shall be the duty of each to pass on the port side of the other; and either vessel shall give, as a signal of her intention, one short and distinct blast of her whistle, and thereupon they shall pass upon the port side of each other. But if their courses be so far to starboard of each other as not to be considered as meeting head on, either vessel shall immediately give two short, distinct blasts of her whistle, which the other vessel shall answer promptly with two similar blasts, and they shall pass to starboard of each other; but vessels going in opposite directions, in transit through the Canal, shall make it an invariable rule to pass to port of each other, unless there be some special reason to the contrary.

85. When they sight each other in the straight reaches of the Canal, going in opposite directions, they shall, when within a mile of each other, be slowed down and each placed upon its respective range, which is marked by the two light towers

to the starboard side of the middle line, and should not be allowed to approach closer than this to the center line until they have passed each other; this will obviate any risk of collision and prevent a vessel from approaching too close to the sides of the Canal.

86. Self-propelling Canal craft, at work on their stations or under way, will give way and leave the center of the channels clear to seagoing vessels in transit; nothing in this rule shall be construed to warrant a violation of the rules of the road, but shall be interpreted to mean that tugs, launches, and small self-propelling craft shall keep close to the sides of the Canal and out of mid-channel when large vessels are passing, whenever practicable, without involving any danger to themselves.

87. The foregoing applies only to cases where vessels are meeting end on, or nearly so, in such manner as to involve risk of collision; in other words, to cases in which, by day, each vessel can see the masts of the other in a line, or nearly so, with her own, and at night to cases in which each vessel can see the other's side lights, and each can see the range lights of the other in line, or nearly so. It does not apply to cases in which a vessel can see another ahead crossing her own course, or by night to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light or a green light without a red light is seen ahead, or where both green and red lights are seen anywhere but ahead.

88. Vessels approaching the sharper bends in the Canal, particularly when the next reach may be obscured, and all bends in Culebra Cut, shall, when at a distance of at least half a mile from such bend, slow down and blow one prolonged blast as a notification to other vessels which may be coming from the opposite direction; if there be no reply, the vessel may proceed, but vessels shall not pass each other in the bends of the Canal; if there be a reply to the blast first sounded, both vessels shall stop and proceed cautiously, following the rules of the road, but the vessel which has the turn of the bend on her port bow shall have the right to first proceed and make the turn.

89. When steam vessels are moved from their docks, or berths, and other vessels are liable to pass from any direction toward them, they shall sound a prolonged blast, but immediately after clearing their berths so as to be fully in sight, they shall be governed by the steering and sailing rules.

90. A prolonged blast shall also be sounded when approaching all signal stations or locks and when leaving the latter.

91. When steam vessels are running in the same direction, and the vessel astern desires to pass on the starboard hand of the vessel ahead, she shall give one short blast, and if the vessel ahead answers with one blast, they shall maneuver accordingly, but if the vessel ahead does not think it safe for the vessel astern to attempt to pass at that point, she shall immediately signify the same by giving several short and rapid blasts of the whistle, not less than four, and under no circumstances shall the vessel astern attempt to pass the vessel ahead until such time as they have reached a point where it can be safely done, when the vessel ahead shall signify her willingness by blowing the proper signals; the vessel ahead shall in no case attempt to cross the bow or crowd upon the course of the passing vessel.

92. Every vessel coming up with another vessel from any direction more than two points abaft her beam; that is, in such a position with reference to the vessel which she is overtaking that at night she would be unable to see either of that vessel's side lights, shall be deemed to be an overtaking vessel, and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally passed and clear. As by day the overtaking vessel can not always know with certainty whether she is forward of or abaft this direction from the other vessel, she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

93. After whistle signals have been made and answered, Canal craft must haul close out to the sides of the Canal and leave the center of the channels unrestricted for seagoing vessels; this applies particularly to the 500-foot channels and the Culebra Cut.

94. Unless specially authorized by the Governor, no owner, master, or operator of floating craft, except such as may belong to or be chartered by The Panama Canal, or such as may be engaged in passage of the Canal under charge of a Government pilot, shall cause or permit such craft to enter, navigate, or be present within that portion of the Panama Canal known as the Culebra Cut which lies between Gamboa and the Pedro Miguel lock.

95. For the better enforcement of this regulation, the officers and agents of the Canal, and the assistant engineers, superintendents, and supervisors employed under

them by the authority of the Governor, shall have power and authority to arrest and take into custody, with or without process, any person or persons who may violate this rule.

96. Speed exceeding six knots per hour is prohibited in the Cut; large vessels, particularly when approaching a turn, shall go at the slowest speed that will enable them to keep their steerageway. This rule does not apply to vessels owned by the Canal.

97. The movement of vessels in the Culebra Cut will be regulated by orders to be issued by the Governor, which orders will be communicated to the masters of vessels by the pilots.

98. The Canal authorities may require any vessel to take a tug ⁴⁵⁹ through the Cut, on approaching the locks, or in any other part of the Canal, when in their opinion it may be necessary to insure the safety of the vessel or to prevent accident or grounding.

99. Should a vessel be unwieldy, steer badly, or be hard to handle, the captain or master should so report and request the services of a tug to assist him through the Cut, should he deem it necessary.

100. On approaching another vessel under way in the narrow reaches, or before passing a vessel that has been tied up, or lighters, scows, dredgers, piledrivers, or anything that is afloat, whether moored, anchored, or under way, vessels shall blow a prolonged blast and slow down in plenty of time to pass at the slowest speed at which they can be steered.

101. The following speeds shall not be exceeded by vessels in transit through the Canal:

	Knots per hour
Colon to Gatun locks.....	6
Gatun Lake, in the 1,000-foot channels.....	15
Gatun Lake, in the 800-foot channels.....	12
Gatun Lake, in the 500-foot channels.....	10
Culebra Cut.....	6
Miraflores Lake.....	6
Miraflores locks to Pacific entrance to Canal.....	6
Steamers entering or leaving a port.....	6

102. The Governor may change the rules in regard to speed ⁴⁶⁰ and the use of tugs at any time that he may see fit, but will give due notice in case any changes be made.

103. Under no condition will steamers be allowed to run side by side in any part of the Canal proper, terminal port, or adjacent waters, both going in the same direction, except for the time necessary for one steamer to pass ahead of another, after the proper signals have been made and answered; nor shall such passing take place in any of the bends of the Canal; should an occasion arise, however, where steamers may find themselves running side by side, or nearly so, in the same direction, in the open waters or elsewhere, the steamer on the right or starboard side shall have the right of way, and the steamer on the left or port side shall check her way, drop astern, and keep at a safe distance until the bend shall have been passed or there is no further danger of collision.

104. When two steamers are approaching each other at right angles or obliquely so as to involve risk of collision, other than when one steamer is overtaking another, the steamer which has the other on her port side shall hold her course and speed; and the steamer which has the other on her starboard side shall keep out of the way of the other, by directing her course to starboard so as to cross the stern of the other steamer, or, if necessary to do so, slacken her speed, or stop, or reverse. The steamer having the other on her own port bow shall blow one blast of her whistle as a signal of her intention to cross the bow of the other, holding her course and speed, which signal shall be promptly answered by the other steamer by one short blast of her whistle as a signal of her intention to direct her course to starboard so as to cross the stern of the other steamer or otherwise keep clear.

105. If, from any cause whatever, the conditions covered by this situation are such as to prevent immediate compliance with each others' signals, the misunderstanding or objection shall at once be made apparent by blowing the danger signal, and both steamers shall be stopped and backed, if necessary, until signals for passing with safety are made and understood.

106. Every vessel which is directed by these rules to keep out of the way of another vessel, shall, if the circumstances of the case permit, avoid crossing ahead of the other.

⁴⁵⁹ See the 686 series of Governor's Circulars for rates for tug service.

⁴⁶⁰ Governor's Circular No. 643-70 dated Jan. 13, 1920, revises previous orders regulating speed of vessels in Canal.

107. Every vessel which is directed by these rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed, or stop, or reverse.

108. When a steam vessel and a sailing vessel are proceeding in such directions that they may involve the risk of collision, the steam vessel shall keep out of the way of the sailing vessel.

109. When two sailing vessels are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other, as follows:

(a) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

(b) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

(c) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(d) When both are running free, with the wind on the same side, the vessel which is to the windward shall keep out of the way of the vessel which is to the leeward.

(e) A vessel which has the wind aft shall keep out of the way of the other vessel.

110. Where, by any of these rules, one of two vessels is to keep out of the way, the other shall keep her course and speed.

111. Notwithstanding anything contained in these rules, every vessel overtaking another shall keep out of the way of the overtaken vessel.

112. Sailing vessels underway shall keep out of the way of sailing vessels or boats fishing with nets, or lines, or trawls. This rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing vessels or boats.

113. Nothing in these rules shall exonerate any vessel, or the owner, or master, or crew thereof, from all the consequences of any neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

114. In obeying and construing these rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

115. In fog, mist, or heavy rainstorms, whether by day or night, signals shall be given as follows:

(a) A steam vessel underway, except when towing other vessels or being towed, shall sound, at intervals of not more than one minute, on the whistle or siren, a prolonged blast.

(b) A vessel when towing other vessels shall sound, at intervals of not more than one minute, on the whistle or siren, three blasts in succession, namely: One prolonged blast followed by two short blasts.

(c) Seagoing dredges, when dredging in a fog, shall give four blasts in succession: One prolonged blast followed by three short blasts.

(d) A vessel towed may give, at intervals of not more than one minute, on the fog horn, a signal of three blasts in succession, namely: One prolonged blast followed by two short blasts, and she shall not give any other.

(e) A sailing vessel underway shall sound, at intervals of not more than one minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when the wind is abaft the beam three blasts in succession.

(f) All rafts or other water craft, not herein provided for, navigated by hand power horsepower, or by the current of the river, shall sound a blast on the fog horn, or equivalent signal, at intervals of not more than one minute.

(g) A vessel at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds.

116. Every vessel shall, in fog, mist, or heavy rainstorm, go at a moderate speed, slow down, or stop, having due regard to the existing circumstances and conditions.

117. A steam vessel hearing, apparently forward of her beam, the fog signal of a vessel the position of which is not ascertained, shall, as far as the circumstances of the case admit, stop her engines, and then navigate with caution until the danger is over.

118. In thick and foggy weather vessels will not be allowed to enter the Canal or leave the locks or mooring station, until the weather has cleared. Vessels in transit, when overtaken by thick or foggy weather, must immediately take every precaution and make preparations to anchor or moor at the first available place, and so remain until the weather clears. Vessels equipped with radio, when overtaken by thick or foggy weather, should immediately so report, in order that the proper fog signal may be made at the mooring stations on the approach of such vessels.

119. In order further to assure safe navigation in thick or foggy weather, masters of vessels shall have prepared accurate tables showing their compass error, before they will be allowed to enter the Canal. The general direction of the Canal and its reaches is southeasterly and northwesterly, and it would be well, if an opportunity offers, for vessels to obtain an accurate deviation table on these courses, while in the approximate latitude and vicinity of the Canal.

120. Upon the first approach of thick weather of any kind, the position of the ship must be accurately checked and the closest possible reckoning be kept until the weather clears, or she shall have been moored or anchored.

121. Unnecessary sounding of the steam whistle, except as a danger signal or in case of fire or emergency, is prohibited within the waters of the Canal Zone; and any licensed officer in charge of a steamer who authorizes or permits such unnecessary whistling shall, upon conviction thereof before the Board of Local Inspectors having jurisdiction, be suspended from acting under his license, if the inspectors trying the case so decide.

122. The word "visible" in these rules, when applied to lights, shall mean visible on a dark night with a clear atmosphere.

123. The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited.

124. A steam vessel when under way shall carry:

(a) On or in front of the foremast, or, if a vessel without a foremast, then in the fore part of the vessel, a bright white light so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, namely, from right ahead to two points abaft the beam on either side, and of such a character as to be visible at a distance of at least five miles.

(b) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least two miles.

(c) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible at a distance of at least two miles.

(d) The said green and red side lights shall be fitted with inboard screens projecting at least three feet forward from the light, so as to prevent these lights from being seen across the bow.

(e) A seagoing steam vessel shall carry an additional white light similar in construction to the light mentioned in subdivision "a." These two lights shall be so placed in line with the keel that one shall be at least 15 feet higher than the other, and in such a position with reference to each other than the lower light shall be forward of the upper one. The vertical distance of these lights shall be less than the horizontal distance.

125. A steam vessel when towing another vessel shall, in addition to her side lights, carry two white bright lights in a vertical line, one over the other, not less than three feet apart, and when towing more than one vessel, shall carry an additional bright white light three feet above or below such lights, if the length of the tow measuring from the stern of the towing vessel to the stern of the last vessel towed exceeds 600 feet. Each of the lights shall be of the same construction and character, and shall be carried in the same position as the white light "a," previously mentioned for steamers.

126. Such steam vessel may carry a small white light abaft the funnel, aftermast, or at the stern, for the vessel towed to steer by, but such light shall not be visible forward of the beam.

127. A sailing vessel under way or being towed shall carry the same lights "b" and "c" as are prescribed for a steam vessel under way, with the exception of the white lights mentioned, which they shall never carry.

128. Whenever, as in the case of vessels of less than 10 gross tons under way during bad weather, the green and red side lights can not be fixed, these lights shall be kept at hand lighted and ready for use, and shall, on the approach of or to other vessels be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor, if practicable, more than two points abaft the beam on their respective sides. To make the use of these port-

able lights more certain and easy, the lanterns containing them should each be painted outside with the color of the light which they respectively contain, and shall be provided with proper screens.

129. Pilot vessels when engaged on their station on pilotage duty shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all around the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed 15 minutes.

130. A steam pilot vessel when engaged on pilotage duty and not at anchor shall, in addition to the lights required for all pilot vessels, carry at a distance of eight feet below her white masthead light, a red light visible all around the horizon and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least two miles, and also the colored side lights required to be carried by vessels when under way.

131. When engaged on her station on pilotage duty and at anchor she shall carry, in addition to the lights required for all pilot boats, the red light above mentioned, but not the colored side lights.

132. Fishing vessels less than 10 gross tons, when under way, and not having their nets, dredges, or lines in the water, shall carry the usual white light eight feet above the deck and shall have ready at hand a lantern with a green glass on one side and a red glass on the other side, and on approaching or being approached by another vessel, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.

133. All fishing vessels and fishing boats of 10 gross tons or upward, when under way and not having their nets, trawls, dredges, or lines in the water, shall carry and show the same lights as other vessels under way.

134. All vessels, when trawling, dredging, or fishing with any kind of dragnets or lines, shall exhibit, from some part of the vessel where they can be best seen, two lights. One of these lights shall be red and the other shall be white. The red light shall be above the white light, and shall be at a vertical distance from it of not less than 6 feet and not more than 12 feet; and the horizontal distance between them, if any, shall not be more than 10 feet. These two lights shall be of such a character and contained in lanterns of such construction as to be visible all around the horizon, the white light at a distance not less than three miles and the red light not less than two miles.

135. A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.

136. A vessel under 150 feet in length when at anchor shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light, in a lantern constructed so as to show a clear, uniform and unbroken light visible all around the horizon at a distance of at least one mile.

137. A vessel of 150 feet or upward in length when at anchor shall carry in the forward part of the vessel, at a height of not less than 20 feet and not exceeding 40 feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall not be less than 15 feet lower than the forward light, another such light.

138. The length of the vessel shall be deemed to be the length appearing in her certificate of registry.

139. Every vessel may, if necessary in order to attract attention, in addition to the lights which she is by these rules required to carry, use a flare-up light or use any detonating signal that can not be mistaken for a distress signal.

140. Every barge, lighter, canal boat, or scow that is moored alongside of any ship or another barge, or to the side of the Canal, or to any wharf, or lying at anchor on the navigable waters of the Canal Zone, shall show, between the hours of sunset and sunrise, a white light on the bow and stern, at least three feet above the deck of said vessel, and not less than eight feet from the bow and stern thereof.

141. Nothing in these rules shall interfere with the operation of any special rules made by the government of any nation with respect to additional station and signal lights for two or more ships of war or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by shipowners, which have been authorized by their respective governments, and duly registered and published, unless specific instructions are given by the Canal authorities to discontinue the use of such lights while in transit through the Canal.

142. A steam vessel proceeding under sail only, but having her funnel up, may carry in daytime, forward, where it can best be seen, one black ball or shape two feet in diameter.

143. Seagoing suction dredges, when under way and dredging, shall carry, beside the lights prescribed for steamers under way, between the two masts where they can best be seen, two red lights approximately the same height as the masthead light of a steamer, in a vertical line one over the other, not less than six feet apart, and of such a character as to be visible all around the horizon at a distance of at least two miles; and they shall, by day, carry between the two masts where they can best be seen, in a vertical line one over the other not less than six feet apart, two black balls or shapes, each two feet in diameter.

144. Seagoing suction dredges, when dredging is stopped and the dredge is proceeding either to or from her dumping ground, either loaded or light, shall, at night, extinguish the two red lights and, by day, lower the black balls.

145. Seagoing suction dredges, while actually engaged in dredging, as shown by the black balls or red lights, above, shall have the right of way over all other vessels, but in the narrower reaches and the Culebra Cut shall give way to seagoing ships; but when not dredging, as shown by the absence of the black balls or red lights, shall observe all the rules, and have no special privilege.

146. Ferryboats, propelled by machinery and navigating the waters of the Canal Zone, shall carry the range lights and the side lights required by law to be carried on steam vessels.

147. Barges, canal boats, scows, the lighters being towed astern of steam vessels, when towing singly or what is known as tandem towing, shall each carry a white light on the bow and a white light on the stern.

148. When towed with a hawser two or more abreast, when in one tier, they shall carry a white light on the bow and a white light on the stern of each of the outside boats; when in more than one tier, each of the outside boats shall carry a white light on its bow; and the outside boats in the last tier shall each carry, in addition, a white light on the outer after part of the stern.

149. Barges, etc., towed alongside a steam vessel, if on the starboard side of said steam vessel, shall display a white light on her own starboard bow, and if on the port side of said steam vessel, shall display a white light on her own port bow; and if there be more than one barge or canal boat alongside, the white light shall be displayed from the outboard side of the outside barge or canal boat.

150. When barges, etc., are in tiers and towed at a hawser, there shall be carried on the forward port side of each tier a white light, and on the forward starboard side of the starboard boat in each tier a white light, and on the after port side of the port boat in the stern tier a white light, and on the after starboard side of the starboard tier a white light.

151. Rafts propelled by hand power, or by the current of the river or tide, or which shall be anchored in or near the channel or fairway, or proceeding in tow of a steam vessel, shall carry one white light on each outside corner of the raft, making four lights in all.

152. Row boats and cayucos, whether under oars or sail, shall carry a white light, visible all around the horizon, at an elevation above the surface of the water of at least three feet.

153. The white light required by these rules for rafts and other water craft shall be carried from sunset to sunrise, in a lantern so constructed as to show a clear, uniform, and unbroken light, visible all around the horizon, and of such intensity as to be visible on a dark night with a clear atmosphere at a distance of at least one mile. The lights for rafts shall be suspended so that the lights shall not be less than eight feet above the surface of the water.

154. Any piece of plant, whether dredge, rock-breaker, or drill barge, that is operated by means of fore, aft, and side chains, shall carry, when said fore, aft, and side chains are taut, a black ball on each side of the dredge, in some conspicuous place at least eight feet above the deck, and near the position of the side chains; at night these balls shall be replaced by a red light and which shall show all around the horizon and be plainly visible at a distance of one mile.

155. When a steamer wishes to pass the dredge, drill boat, or rock-breaker, at a point where it might foul its side chains, it should ask permission to pass, by using the signal for port or starboard, as provided in the foregoing rules, and the dredge, drill boat, or rock-breaker shall immediately lower its chain on the side asked for by the steamer, indicating its fulfillment of this by, in the daytime, lowering the ball; in the night, putting out the red light.

156. If the dredge, drill boat, or rock-breaker is unable to lower its side chain, or should consider it dangerous for the steamer to pass on the side asked for, the dredge, drill boat, or rock-breaker, will blow the danger signal, when the steamer will stop until the ball or light signal given above shall be shown.

157. Any master or pilot of any steam vessel who shall flash or cause to be flashed the rays of the searchlight into the pilot house of a passing vessel shall be deemed guilty of misconduct and shall be liable to have his license suspended or revoked; in general, searchlights shall not be used for navigation purposes in transit through the Canal, since the aids to navigation are sufficiently abundant to obviate any danger or necessity for using them.

158. When a vessel is in distress and requires assistance from other vessels, or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, namely:

First: Flames on a vessel, as from a burning tar barrel, oil-barrel, etc.

Second: A continuous sounding with any fog-signal apparatus, or firing a gun.

Third: Rockets or shells showing stars, fired one at a time, at short intervals.

159. In connection with these, vessels may use the international code and special signals with shapes, hereafter described.

160. When lighters, barges, scows, or canal boats are tied or moored along any wharf, or along the shore in the channel in the navigable waters of the Canal Zone, including the Canal and approaches thereto, it shall be unlawful to moor them more than two deep, thereby obstructing the channel.

161. Except in the terminal harbors or the authorized anchorages, vessels shall not moor alongside one another in any part of the Panama Canal. In the terminal harbors and authorized anchorages more than two vessels shall not be moored alongside each other, except that additional power hoists may be moored alongside two vessels so connected, while actually engaged in transshipping cargo.

162. Nothing in this rule shall be construed as affecting the right of The Panama Canal to moor barges used by Canal construction and maintenance in any manner that may be deemed proper:

163. Every piece of plant, except seagoing suction dredges, whether dredge, rock breaker, or drill barge, that is engaged in excavating or preparing to excavate the Canal, whose position is stationary, or moving from time to time over the face of the shoal that it is working on or removing, shall have the prior right to such position, and it shall be unlawful for any person or persons, navigating a ship or otherwise, to foul above-named plant or its moorings in any way whatever.

164. All barges moved from berth to berth along wharves or banks of the Canal shall be moved by being handled by proper towboat for same, and it shall be unlawful to move barges by hand power in the navigable fairways of the Canal, unless to preserve life or property in peril.

GENERAL REGULATIONS.

165. While in a terminal port or in transit through the Canal no vessel will be allowed to throw overboard any ashes, cinders, ballast, solid matter of any kind, boxes, paper, or anything that will float, heavy slops, or anything that will tend to deface or make the waters of the Canal unsanitary. This does not apply to water-closet chutes, nor to the water used in cooking or in cleaning tableware, but does prohibit the throwing overboard of bones, pieces of meat, vegetable and fruit parings, or any heavy slops that can be carried until the open water of the sea can be reached.

166. No vessel shall make fast or run any lines to any marking buoy, beacon, or aid to navigation; this does not prohibit the use of mooring buoys for the purpose for which they were intended; vessels must use every precaution to guard against injury to any of the aids to navigation in Canal waters; should any damage or injury be inflicted, it shall be immediately reported to the Captain of the Port.

167. Any vessel arriving at the ports with gunpowder or other explosives on board will not be admitted to the wharves or allowed to land the same until a report is made to the proper authority and an arrangement entered into for the immediate disposal of the explosives.

168. Vessels are not allowed to anchor in the channel of the Canal or its approaches, unless in case of distress, when assistance should at once be requested.

169. If for any reason not an emergency, a vessel must anchor, she must do so in such a location that it will not interfere with the navigation of the channels.

170. All vessels upon entering port will be assigned to anchorage or wharves by the Captain of the Port.

171. Vessels must not anchor on the range line of any range lights.

172. Vessels will be held liable for all damage done to the Canal or any part of its plant or equipment, of any character or description whatsoever, whether the damage be done to the floating equipment, wharves, locks, or banks of the Canal; and in the case of sinking of any floating or other equipment belonging to private persons or corporations in the channel of the Canal, or its approaches, side channels, or along its

wharves, that create or tend to create an obstruction in the Canal or its approaches, side channels, or along its wharves, the person or company owning the sunken equipment may be given thirty days to remove the same. Should he or they fail to do so, the Canal authorities may remove the obstruction and the person or corporation owning the same shall pay all the expense of the removal of the obstruction, to be collected by a civil suit in the Zone courts and a levy and sale of any property of the persons or corporations found in the Canal Zone or its harbors.

173. The Canal authorities may order the removal of the obstruction at once, or remove it without waiting for action by the owners, and the cost of such removal shall be taxed and collected as mentioned above.

174. Should a vessel go aground, collide, be in imminent danger, or meet with any serious accident while in Canal waters, the Canal authorities shall have the right to supervise and direct all operations in relation thereto that may be necessary to float her or clear the wreckage; but the master and all others under him, as well as every appliance on board the ship which may be of use, shall be placed at the disposal of the Canal authorities without additional charge or claim against the Canal.

175. Vessels wishing to unload or load ballast will be assigned anchorage by the Captain of the Port, and must have a proper chute, so arranged as to prevent ballast from falling overboard.

176. No warp or line shall be passed across any channel or dock so as to obstruct the passage of vessels or cause any interference with the discharging of cargoes.

177. If any damages shall be caused by vessels or their mooring cables to the works of any harbor, the parties responsible for same shall pay the costs for necessary repairs, and the same may be recovered in the courts of the Canal Zone.

178. If a vessel occupying a berth at a wharf or pier, with or without the consent of the Captain of the Port, fails to vacate such berth when ordered by him, or when not loading or unloading fails to make way for another vessel that wishes to load or unload, the Captain of the Port shall then cause such vessel to be moved to some other berth, or be anchored in the stream, and the expense of such removal shall be paid by the master, agents, or owners of such vessel, and in case of their neglect or refusal to pay such expense upon demand, it may be recovered in an action before any court having jurisdiction.

179. No vessel shall be entitled to a berth until application has been made by the master, owner, or consignee of the vessel, to the Captain of the Port, and such application must state the length, draft, and kind of cargo. No one but the Captain of the Port has authority to assign berths to vessels. No vessel, whether at anchor or lying at a wharf, shall shift its berth, without permission from the Captain of the Port.

180. All goods, merchandise, and material of every kind, landed or placed on any pier, bulkhead, or other wharf property, or upon reclaimed land, must be removed therefrom within 36 hours, provided, that the Captain of the Port for good cause may extend the time. All goods, merchandise and materials of every kind encumbering any pier, bulkhead, or other wharf structure or reclaimed land, after the time designated for the removal thereof shall have expired, will be liable to be removed by the Captain of the Port to any warehouse or yard, at the sole risk and expense of the owner of such goods, merchandise, or materials, and all expense incurred for such removal and storage, or otherwise, shall be and become a lien thereon, and such goods, merchandise, and materials will not be delivered to the owner until the expense of such removal and storage has been paid.

181. It shall not be lawful for the owners, lessees, or occupants of any pier, wharf, or bulkhead, which has been covered with a shed, to use such shedded pier, wharf, or bulkhead for the permanent storage of goods, merchandise, cargo, or material of any kind which may be discharged or placed thereon.

182. Piers, wharves, and bulkheads thus shedded are designated for the protection of merchandise and cargo in transit, and such merchandise and cargo must be removed therefrom within 36 hours; provided, that the Captain of the Port may for good cause extend the time.

183. No accumulation of material upon the piers, wharves, bulkheads and reclaimed land will be allowed, and whenever any pier, wharf, bulkhead or reclaimed land shall be encumbered or obstructed in its free use by any vessel, merchandise or material, or by any structure, encumbrance, or obstruction not authorized or permitted, the Captain of the Port may require the owner, agent, consignee, or person occupying or in charge of such merchandise or obstruction, to remove the same without delay. Upon receiving said order the owner, agent, consignee, or person in charge of the vessel, merchandise, material, structure, encumbrance, or obstruction, in reference to which said order or direction was given shall comply with the same without delay and upon his refusal or failure to do so, shall be punished by a fine or imprisonment as hereinbefore provided.

184. No fishing nets will be allowed in any place in the Canal, along its wharves, or in its channels, whenever in the opinion of the Superintendent of Transportation such nets interfere or might interfere with navigation, and it shall be the duty of the owner thereof, upon notification, to remove them immediately.

185. Anyone finding any buoy out of position, or lights not working properly, should immediately report the same to the Captain of the Port.

186. Steamers while within a harbor must take all precautions to avoid the issue of sparks, and vessels will be held liable for all damage resulting from neglect of this rule.*

187. No pitch, tar, turpentine, or other combustible, shall be boiled on any wharf, or on board any vessel without permission from the Captain of the Port.

188. In case of fire on board a vessel, all masters of other vessels shall render such assistance as may be in their power.

189. A vessel anchored or moored in the harbor or lying at a dock must at all times, night or day, have on board a sufficient number of men to take care of the vessel.

190. No vessel shall unload lumber, timber, or piles in the waters of a harbor without permission of the Captain of the Port, who shall designate where such lumber shall be rafted, so as to avoid obstructing or hindering the movements of vessels.

191. Lighters, barges, scows, and other vessels belonging to persons or corporations of any and all descriptions shall be anchored in such places as the Captain of the Port may direct, and shall be at all times under his supervision and direction.

192. The Captain of the Port shall keep in his office records of all his proceedings with statements of the result of all examinations and inquiries made by him, which records may be inspected by interested parties.

193. All notifications and requests to the Captain of the Port shall be made at his office in writing, and shall be duly entered and filed by him.

194. It shall be unlawful for any person, without first having secured a pilot's license from the Government of the Canal Zone, to navigate any steam vessel with a net tonnage of more than 15 tons burden in Canal Zone waters.

195. All privately owned boats of every description must be registered and numbered, and the number must be obtained before they will be allowed to operate in any part of the Canal waters.⁴⁶¹

196. When numbers have been assigned, they shall be displayed in a conspicuous place, in the prescribed form.

197. All vessels moored to wharves, whether loading or unloading cargo or in the ordinary way of business, shall be moored to the wharves with rope hawsers only, and it shall be unlawful for any chain or wire hawsers to be used on any public wharf in the Canal Zone, without the specific permission of the Captain of the Port.

198. All vessels, whether commercial or otherwise, moored to wharves in the Canal Zone, shall be compelled to keep watch at night and to have suitable fire-fighting apparatus on hand.

199. Whenever it shall become necessary to remove any especially inflammable cargo from commercial ships, or ships at public wharves of the Canal Zone, such as oils, gasoline, naphtha, petroleum, etc., it shall be necessary for notice to be given to the Captain of the Port at least two hours before such cargo shall be discharged upon the wharf, so that proper means can be provided to dispose of this class of material at the earliest possible moment.

200. It shall be unlawful for any person or persons, whether navigating a vessel or otherwise, to take possession of or use for any purpose, to make fast to or build upon, to alter, deface, destroy, move or injure any part of the plant or equipment, whether floating or otherwise, belonging to the Canal.

201. These rules shall apply to and govern the navigation and use of the waters of the Panama Canal, as the Canal is now or may hereafter be constituted, as well as all Canal channels, lakes, harbors, and other auxiliary waters as may now or hereafter be deemed necessary for Canal purposes, or which may now or hereafter be under the jurisdiction of the Canal Zone Government.⁴⁶²

WOODROW WILSON.

THE WHITE HOUSE, 9 July, 1914.

[No. 1990.]

* See amendment of July 27, 1921, p. 289.

⁴⁶¹ The 683 series of circulars relate to the operation of small craft in Canal Zone waters. See also amendment of July 27, 1921, p. 289.

⁴⁶² See also Proclamation of President of Nov. 13, 1914, p. 203, prescribing rules and regulations governing use of Canal by vessels of belligerents, which are in addition to above general rules. Also Proclamation of May 23, 1917, p. 224, providing rules for management and protection of the Panama Canal, which rules are in addition to the general rules of order of July 9, 1914.

Authorizing the Board of Admeasurement to Administer Oaths to Witnesses and to Compel their attendance.

By virtue of authority vested in me, I hereby establish the following order for the Canal Zone:

SECTION 1. The Board of Admeasurement of the Canal Zone,⁴⁶³ and the respective members thereof, are hereby authorized to administer oaths to witnesses appearing before the Board, or before any member thereof, to testify in matters within the jurisdiction of the Board; and upon application to the District Judge the Board may obtain process to compel the attendance of witnesses and the production of books and papers. Any person who fails to obey the process of the Court, or who refuses to be sworn, or who refuses to answer any material or proper questions, after being duly sworn, shall be punished in the manner prescribed in the Penal Code⁴⁶⁴ for contempt of Court.

SECTION 2. This order shall take effect on and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 9 July, 1914.

[No. 1989.]

Order of the President, July 30, 1914, setting aside an area of land for uses and purposes of the Darien Naval Radio Station.

The area of land hereinafter described, situated in the Canal Zone, is hereby set apart and assigned to the uses and purposes of a radio station and other naval purposes under the control of the Secretary of the Navy; but said area shall be subject to the civil jurisdiction of the Canal Zone authorities in conformity with the Panama Canal Act.

The said area is described as follows:

DARIEN NAVAL RADIO STATION.

Beginning at a point "A" on the map, which is the point at which the water level of Gatun Lake meets a line parallel to the center line of the Panama Railroad and 100 feet distant therefrom on the side toward the Canal, this meeting point being the first such point south of Station 1051 plus 70.3 of the Panama Railroad, which latter point is marked by an iron rail monument noted "P" on the map; continuing thence on the line "A"-*"B"*, *"C"*, *"D"*, *"E"*, *"F"*, *"G"*, *"H"*, *"I"*-, which line is at the water level of Gatun Lake, and is a meandered line extending southwesterly, south, and easterly, to point "I," where the said water level intersects a traverse line shown on the map as of azimuth 250° 02'; thence for a distance of about 130 feet to point "J," which is the intersection of two traverse lines indicated on the map as of azimuth 250° 02' and 1° 54', respectively; thence for a distance of 433.8 feet on an azimuth of 1° 54' to point "K" on the map, this point being the intersection of the 1° 54' azimuth line with the aforesaid line parallel to and 100 feet distant from the center line of the Panama Railroad, immediately south of station 1074 plus 52 on the Panama Railroad which latter point is marked with an iron rail monument and is noted "Q" on the map; thence along the aforesaid line parallel to the Panama Railroad to the point of beginning; in all 87.5 acres, more or less.

The areas below lake level forming indentations into the general area of the site beyond lines "*B*"-*"C"*, *"C*"-*"D"*, *"E*"-*"F"*, *"G*"-*"H"*, and *"J*"-*"K"*, are included in the area hereby set aside; all as shown by the blue print No. 3846, dated March 30, 1914, issued by the Department of Construction and Engineering, Isthmian Canal Commission, office of the Assistant to the Chief Engineer.

WOODROW WILSON.

THE WHITE HOUSE, 30 July, 1914.

Prescribing the Duties of Constables.

By virtue of the authority vested in me, I hereby establish the following Order for the Canal Zone:

The constables of the magistrates' courts of the Canal Zone are hereby declared to be peace officers with the powers and duties imposed by law upon such officers.⁴⁶⁵

⁴⁶³ Duties defined by Governor's Circular No. 660-50.

⁴⁶⁴ Sec. 131 (L. C. Z. 112) makes contempt of court a misdemeanor, without specifying punishment. See notes under said sec. 131.

⁴⁶⁵ Executive Order of Apr. 16, 1910, p. 97, declares who are peace officers, and provides that civil and criminal process may be executed and returned by any peace officer.

They shall attend all sessions of the magistrate's court for the town and subdivision to which they may be assigned by the Governor of the Panama Canal; shall preserve order therein; shall receive and receipt for all moneys collected by them upon any process or paid into or deposited with said magistrate's court as fees, fines, costs, forfeitures, or bail; and shall duly account therefor in accordance with rules and regulations to be prescribed by the Governor of The Panama Canal.⁴⁶⁶

All laws or orders, or parts thereof, in conflict with this order are hereby repealed.

WOODROW WILSON.

THE WHITE HOUSE, August 3, 1914.

[No. 2007.]

To Reorganize the Board of Health of the Canal Zone.

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone:

1. There is hereby established a Board of Health, under the jurisdiction of the Health Department, consisting of the following officials heretofore appointed by the Governor:

The Chief Health Officer, who shall be the Chairman of the Board, the General Inspector, the Chief Quarantine Officer, the Chief of Laboratories, and the Chief of the Division of Municipal Engineering.

Three members of the Board shall constitute a quorum for the transaction of business and each member of the Board shall be entitled to a vote and, in the event of a tie, the presiding officer shall cast the deciding vote.

The Governor shall fix the time for the regular meetings of the Board, and the Chief Health Officer may call special meetings of the Board when he deems it necessary.

2. The Board of Health shall have power to make sanitary rules and regulations for the Canal Zone, not inconsistent with existing laws or orders, which rules must be approved by the Governor before they become effective, and the Board shall perform such other duties as may be assigned to it by the Chief Health Officer from time to time.⁴⁶⁷

3. Sections 13, 14, 15 and 16 of Act 8 of the Isthmian Canal Commission, of September 2, 1904, are hereby repealed.⁴⁶⁸

4. This order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 6 August, 1914.

[No. 2014.]

Relating to the Customs Service.⁴⁶⁹

By virtue of the authority vested in me I hereby establish the following Order for the Canal Zone:

1. If the master of a vessel, arriving at any port in the Canal Zone from a foreign port, shall fail or refuse to produce to the proper officer of the customs, upon demand by him, the ship's manifest and copies thereof, or shall fail or refuse to give a true account of the destination of such vessel, he shall be subject to a fine of not exceeding five hundred dollars.

2. If any merchandise be found on board any vessel arriving in the Canal Zone from a foreign port which is not included in her manifest, the master of such vessel shall be liable to a penalty equal in amount to the value of the merchandise not manifested, and all such merchandise, belonging to or consigned to the officers or crew of the vessel, shall be forfeited, provided, however, that the penalty authorized by this section shall not be imposed if it should be made to appear to the chief customs officer at the port of entry, or to the court in which the trial shall be held, that no

⁴⁶⁶ Sec. 8 of Executive Order of Mar. 12, 1914, p. 163, provides that rules governing the bailiffs of the former District Courts, shall apply to the constables of the magistrate courts.

⁴⁶⁷ See pamphlet containing sanitary rules and regulations and ordinances of the Board of Health. See also the 708 series of circulars, publishing additional ordinances of the Board of Health.

⁴⁶⁸ L. C. Z. 61.

⁴⁶⁹ See secs. 35-38 of act No. 8 of the Commission (L. C. Z. 61), establishing customs service, and notes thereunder.

part of the cargo has been unladen, except as accounted for in the master's report, and that the errors and omissions in the manifest were made without fraud or collusion; in such case the master may be allowed to correct his manifest by means of a post-entry. It shall not be lawful to grant a permit to unload any such merchandise, so omitted from the manifest, before such post entry or addition to report or manifest has been made.

3. If sea stores are found on board of a vessel arriving at the Canal Zone from a foreign port which are not specified in the list furnished the boarding officer, or if a greater quantity of such articles is found than that specified in such list, or if any of the articles are landed without a permit being first obtained from the customs officer for that purpose, all of such articles omitted from the list or manifest, or so landed, shall be seized and forfeited, and the master of the vessel shall be liable to a penalty of treble the value of the articles so omitted or landed.

4. The officers of the Bureau of Customs are authorized to administer oaths and to certify invoices covering shipments of merchandise from the Canal Zone to the United States. In the performance of this duty they shall be governed by the United States Consular regulations, and by the circular instructions concerning the certification of invoices issued by consuls of the United States, in so far as they are applicable, provided, however, that any special instructions heretofore issued, or which may be issued by the Treasury Department, concerning the certification of invoices in the Canal Zone, shall be complied with.

5. Any person violating any of the customs laws, or the customs rules and regulations established, or to be established, by the Governor of The Panama Canal, in conformity with existing laws and orders, shall be subject to a fine not exceeding five hundred dollars for each violation of such regulations.⁴⁷⁰

6. This order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 8 August, 1914.

[No. 2016.]

Relating to Postal Crimes in the Canal Zone.

By virtue of the authority vested in me I hereby establish the following Order for the Canal Zone:

SECTION 1. The Postal Laws and Regulations of the United States, not locally inapplicable, which define crimes against the Postal Service,⁴⁷¹ and prescribe punishments therefor, are hereby extended to the Canal Zone, and shall be enforceable in the courts of the Canal Zone in the manner and form prescribed for other criminal cases by the Canal Zone laws.

SECTION 2. This order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 14 August, 1914.

[No. 2018.]

To Require Security for Costs in Civil Cases.

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

SECTION 1. The plaintiff in any civil suit, or special proceeding, may be ruled to give security for the costs upon motion of the defendant, or of any officer of the court interested in the costs accruing in such suit; and if such rule be entered against the plaintiff, and he fail to comply therewith, within the time prescribed by the court or judge thereof, the suit shall be dismissed.⁴⁷²

⁴⁷⁰ See the 679 series of Governor's Circulars on this subject.

⁴⁷¹ Par. 5, sec. 42, act No. 8 of the Commission (L. C. Z. 61), establishing a postal service for the Canal Zone, based on the Postal Service of the United States.

⁴⁷² In the case of Panama Railroad (on appeal) *v.* Curran, Fed. Rep: 256, p. 768, the court held that the provisions of Executive Order of Aug. 14, 1914, relating to plaintiff being ruled to give security for costs, does not require such security whenever moved for by defendant, but confers on court discretion to use the power. See sec. IV of order of Jan. 9, 1920, p. 263, on this point. See also Rules of Practice and Procedure, Dec. 30, 1921, p. 293.

A new or additional undertaking may be ordered within such time as the court or judge may prescribe, upon proof that the original undertaking is insufficient security, and failure on the part of the plaintiff to comply with the order of the court, or judge, within the time prescribed, shall cause the dismissal of the suit.

This section shall apply to suits in the magistrates' courts, as well as in the district court.

The security for costs required by this section may consist of a money deposit, bond of a surety company, or cost bond with two or more good and sufficient sureties; the form of such security to be determined by the judge or magistrate of the court before whom the proceedings are pending.

SECTION 2. All bonds given as security for costs shall authorize judgment against all of the obligors of said bonds for such costs, to be entered in the final judgment of the case or special proceedings.

SECTION 3. Any party to a suit, who is required to give security for costs, may file with the secretary, or his assistant, or with the magistrate, as the case may be, an affidavit to the effect that he is too poor to pay the costs of the court, and is unable to give security therefor. The secretary of the district court, or his assistant, or the magistrate, as the case may be, may contest the inability of the party to pay the costs, or his inability to give security for the same, the contest to be tried before the judge of the district court in cases pending in that court, and before the magistrate in cases pending in one of the magistrates' courts; and the contest shall be heard at such time as the court or magistrate may determine.

If no contest is made upon the affidavit, or if the same is admitted by the court or magistrate after the contest, it shall be the duty of the officers of the court thereafter to issue and serve all processes and perform all duties on behalf of such party as in other cases.

SECTION 4. The public administrator, and executors, administrators and guardians appointed by the courts of the Canal Zone shall not be required to give security for costs in any suit brought by them in their fiduciary character.

SECTION 5. No security for costs shall be required of The United States, The Panama Canal, The Canal Zone Government, or any of its dependencies.

SECTION 6. The provisions of this order, relating to security for costs, shall apply to an intervenor; and shall also apply to a defendant who seeks a judgment against the plaintiff on a counterclaim, after the defendant shall have discontinued his suit.

SECTION 7. When the costs are secured by the provisions of an attachment or other bond, filed by the party required to give security for costs, no further security shall be required.

SECTION 8. All laws, orders and decrees, or parts thereof, in conflict with this order, are hereby repealed, provided, that this order shall not be construed to impair the power conferred upon the courts in respect to costs by Article III of the Executive Order of September 26, 1911,⁴⁷³ "To Amend Sections 51, 62, and 526, And To Repeal Sections 63 and 529 of The Code of Civil Procedure Of The Canal Zone."⁴⁷⁴

SECTION 9. This order shall take effect sixty days from this date.⁴⁷⁵

WOODROW WILSON.

THE WHITE HOUSE, 14 August, 1914.

[No. 2019.]

To Amend the Executive Order of Apr. 15, 1913, entitled: "Executive Order to Provide Maritime Quarantine Regulations for the Canal Zone and the Harbors of the Cities of Panama and Colon, Republic of Panama."⁴⁷⁶

By virtue of the authority vested in me I hereby establish the following order for the Canal Zone:

1. The certificate to the form of original bill of health prescribed by section 1 of the Executive Order of April 15, 1913, entitled: "Executive Order to Provide Maritime Quarantine Regulations for the Canal Zone and the Harbors of the Cities of Panama and Colon, Republic of Panama," is hereby amended to read as follows:⁴⁷⁷

⁴⁷³ p. 119.

⁴⁷⁴ See also Chaps. IV and V, pp. 13-26, Code of Civil Procedure, also Chap. XXIV same code *in re* costs.

⁴⁷⁵ This order repealed by Executive Order of Jan. 9, 1920, p. 263, which covers same general subject.

⁴⁷⁶ p. 143.

⁴⁷⁷ See also amendatory Executive Order of Jan. 11, 1915, p. 206.

I hereby certify that the vessel has complied with the quarantine rules and regulations of the Panama Canal, and that the vessel leaves this port bound for _____, Canal Zone, or _____, Republic of Panama, via _____.

Given under my hand and seal this _____ day of _____, 191—.

[SEAL.]

(Signature of Consular Officer.)

II. The certificate to the form of supplemental bills of health prescribed by section 1 of the above-mentioned Executive Order is hereby amended to read as follows:

I certify, also that with reference to the passengers, effects, and cargo taken on at this port the vessel has complied with the quarantine rules and regulations of the Panama Canal.

Given under my hand and seal this _____ day of _____, 191—.

[SEAL.]

(Signature of Consular Officer.)

III. Section 1 of the above-mentioned Executive Order is hereby amended by adding the following paragraph to said section:

Vessels clearing from a foreign port to a port in the United States, or one of their dependencies, and touching at any port of the Canal Zone, or Panama or of Colon, Republic of Panama, shall not be required to obtain an additional bill of health under the quarantine rules and regulations of the Panama Canal, but it shall be sufficient that such vessel obtain extra copies of the bill of health and of the supplemental bill of health, if any, issued in the foreign port by the officer authorized by the quarantine laws of the United States. Such extra copies of the bill of health, or of the supplemental bill of health, as the case may be, shall be delivered by the Captain of the vessel to the quarantine officer of the Panama Canal upon arrival of the vessel in ports of the Canal Zone, or the ports of Panama or Colon, Republic of Panama.

IV. Section 16 of the said Executive Order is hereby amended by adding thereto the following paragraph:

The baggage of cabin passengers embarking at infected ports shall be treated as provided in this section for baggage of steerage passengers.

V. The second paragraph of section 19 of the above-mentioned Executive Order is hereby amended to read as follows:

(a) Vessels from the United States or their dependencies; (b) Vessels from foreign ports; (c) Vessels with sickness aboard; (d) Vessels from Panamanian ports where any quarantinable disease prevails; (e) Vessels from Panamanian ports carrying passengers or articles suspected by the quarantine officer as being capable of conveying the infection of a transmissible disease.

VI. Section 26 of the above-mentioned Executive Order is hereby amended to read as follows:

Section 26. The quarantine officer, after his inspection of the vessel and its documents, shall decide whether said vessel, or its personnel or passengers, or any article aboard said vessel is liable to convey any of the following diseases: plague, yellow fever, cholera, smallpox, typhus fever or leprosy: and, if so, such vessel shall be placed in quarantine and forbidden entry until free from such liability of conveying any such diseases, and he shall take such measures in respect to the vessel, its passengers or personnel or of cargo as in his judgment may be required to prevent the entry of such diseases into the Canal Zone, or the cities of Panama or Colon, Republic of Panama.

VII. Section 34 of said Executive Order is hereby amended to read as follows:

Any person violating any of the provisions of these regulations shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00), or by imprisonment in jail not exceeding ninety (90) days, or both such fine and imprisonment at the discretion of the court. The punishment herein prescribed shall be imposed by the district court of the Canal Zone.

VIII. This order shall take effect from and after the date upon which the Panama Canal is officially and formally opened for use and operation by the proclamation of the President of the United States.⁴⁷⁸

WOODROW WILSON.

THE WHITE HOUSE, August 14, 1914.

[No. 2020.]

⁴⁷⁸ The Order of April 15, 1913, p. 143, together with above amendment and amendment of Jan. 11, 1915, p. 206, reenacted by Executive Order of Feb. 6, 1917, p. 220, effective as of date of latter order.

Regulating Operation of Street Railway Cars at Crossings.⁴⁷⁹

By virtue of authority vested in me, I hereby establish the following Executive Order for the Canal Zone:

SECTION 1. It shall be unlawful for a motorman or any person in control of a street railway car to run same over or upon any street crossing, road crossing, or street railway crossing, at a speed of more than five miles per hour, and without commencing to sound gong, horn, or whistle when at least one hundred feet from said crossing, and continuing to sound same until the crossing has been passed.

SECTION 2. It shall be unlawful for a motorman or any person in control of a street railway car to run same over or upon any railroad crossing, without bringing the car to a full stop at least ten feet from the nearest rail, and without ascertaining from a view of the railroad track made either by himself or by the conductor that the crossing may be safely passed.

SECTION 3. A violation of any of the provisions of this order shall be punished by a fine of not more than one hundred dollars, or imprisonment for not more than thirty days, or by both fine and imprisonment in the discretion of the Court.

SECTION 4. This order shall take effect thirty days from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 22 August, 1914.

[No. 2026.]

To Amend the "Rules and Regulations for the Operation and Navigation of the Panama Canal, etc."

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

I. Rule No. 2 of the "rules and regulations for the operation and navigation of The Panama Canal, and approaches thereto, including all waters under its jurisdiction," dated July 9, 1914,⁴⁸⁰ is hereby amended so as to read as follows:

2. Any person violating any of the provisions of the rules and regulations, established hereunder, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed five hundred dollars (\$500.00), or by imprisonment not to exceed six months, or by both such fine and imprisonment, at the discretion of the court.

II. This order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 3 September, 1914.

[No. 2037.]

To Repeal the Executive Order of Sept. 8, 1911, Establishing the Postal Savings System in the Canal Zone.

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

SECTION 1. The Executive Order of September 8, 1911, establishing the Postal Savings System in the Canal Zone,⁴⁸¹ is hereby repealed: *Provided*, That accounts opened in accordance with that order, and the regulations established thereunder, shall continue as prescribed in said order and regulations until they are finally closed by the withdrawal of the deposits.

SECTION 2. For the accommodation of persons desiring to deposit their savings in the post offices of the Canal Zone, money orders may be issued in the Canal Zone payable to the purchaser at the office of issue, for which no fee shall be charged.⁴⁸²

SECTION 3. This order shall take effect from and after October 1, 1914.

WOODROW WILSON.

THE WHITE HOUSE, 5 September, 1914.

[No. 2040.]

⁴⁷⁹ See sec. 265 of Penal Code (L. C. Z. 134) *in re* warning signals from locomotives approaching crossings.

⁴⁸⁰ p. 178. Also in pamphlet form.

⁴⁸¹ p. 117.

⁴⁸² By Executive Order of Oct. 22, 1916, p. 218, one-half of 1 per cent interest for each period of 3 full calendar months allowed on savings deposits.

Order of the Secretary of War, Sept. 8, 1914, fixing compensation of Nicholas Cornet, American member of the Joint Land Commission.

By direction of the President, it is ordered:

That Nicholas Cornet, who has been appointed a member of the Joint Commission for the appraisement and settlement of damages to property in the Canal Zone, in accordance with the provisions of Articles Six and Fifteen of the Convention between the United States and Panama, concluded November 18, 1903, be allowed Twenty-five (\$25) dollars per day for his services, including all expenses, from the time of his sailing from New York until his return thither; provided that he shall be granted free transportation on the Panama Railroad Steamship Line from New York to the Isthmus and return, free transportation over the Panama Railroad, and such other transportation as may be necessary when traveling on official business on the Isthmus; he shall also be allowed the ordinary privileges of Government employees on the Isthmus, including employees' rates at the hotels of the Panama Canal or the Panama Railroad Company on the Isthmus.

WAR DEPARTMENT,
Washington, D. C., September 8, 1914.

LINDLEY M. GARRISON,
Secretary of War.

To Amend the Canal Zone Law against Gambling.

By virtue of the authority vested in me I hereby establish the following order for the Canal Zone:

I. Section 1 of Act No. 4, entitled "An Act to Prohibit Gambling in the Canal Zone, Isthmus of Panama, and to Provide for the Punishment of Violations thereof, and for other purposes," enacted by the Isthmian Canal Commission on August 22, 1904,⁴⁸³ is hereby amended to read as follows:

SECTION 1. Every person, within the limits of the Canal Zone, who shall play at any game whatever for any sum of money or other property of value, or shall bet any money or property upon any gaming table, bank, or device, or at or upon any other gambling device, or who shall bet upon any game played at or by means of any such gaming table or gambling device, shall, upon conviction, be fined in any sum not exceeding One Hundred Dollars (\$100.00), or by imprisonment in jail not exceeding thirty (30) days, or shall suffer both such fine and imprisonment in the court's discretion.

II. This order shall take effect thirty days from and after its publication in the Canal Record.⁴⁸⁴

WOODROW WILSON.

THE WHITE HOUSE, 19 September, 1914.

[No. 2051.]

To Amend the Executive Order of Mar. 20, 1914, Relating to Compensation to be Paid to Injured Employees of the Panama Canal and Panama Railroad Company.

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

SECTION 1. Paragraph E of Section 12, of the Executive Order of March 20, 1914,⁴⁸⁵ relating to injury compensation to be paid to employees of The Panama Canal, and the Panama Railroad Company, is hereby amended to read as follows:

(E) If the deceased employee leaves a parent, either partially or wholly dependent on him for support; or a brother, sister, grand-parent or grand-child, wholly dependent on him for support, there may be paid to such relation monthly such portion or portions of the monthly pay of the employee as may be determined by the Governor of The Panama Canal, provided that the total compensation to all beneficiaries under this and paragraphs A, B, C, and D of this section shall not exceed fifty per cent of the monthly pay of the deceased employee, and provided, that in order to make payment to the relatives under this paragraph, the Governor of The Panama Canal may, if necessary, reduce the proportion payable to widow or children under paragraphs A, B, C, and D of this section, and provided further, that payment for the benefit of a relative under this paragraph shall cease if he dies, marries, or, in the opinion of the Governor, becomes capable of self-support, but in no case shall payment continue more than eight years.

⁴⁸³ L. C. Z. 27.

⁴⁸⁴ Published in *The Canal Record* of Oct. 7, 1914.

⁴⁸⁵ p. 165.

This amendment shall be effective from the date the order of March 20, 1914, became effective, viz: April 1, 1914.

WOODROW WILSON.

THE WHITE HOUSE, 19 September, 1914.

[No. 2052.]

Order of the Secretary of War, Sept. 29, 1914, amending the regulations for the payment of tolls, etc., as to Government owned vessels.

By direction of the President, and by virtue of the authority vested in him under the Panama Canal Act, the following regulations relative to payment of tolls and of bills for materials, supplies, repairs, harbor pilotage, towage, and other services furnished by The Panama Canal to vessels operated by the Government of the United States are hereby prescribed:

1. Any former Executive Order ⁴⁸⁶ requiring the payment of tolls by vessels operated by the Government of the United States before such vessels are permitted to pass through The Panama Canal, or requiring the payment of bills for material, supplies, repairs, harbor pilotage, towage, and other services furnished such vessels by The Panama Canal before clearance papers may be given, is hereby amended to permit the passage of such vessels through the Canal and the issuance of clearance papers on transfer, between the proper officials of the vessel and the proper officials of The Panama Canal, of the necessary papers indicating the service rendered or the work performed. Bills for tolls and other services or work herein indicated shall be prepared by The Panama Canal against the department of the United States Government concerned and shall be submitted by the Governor of The Panama Canal to such department through the Secretary of War.

LINDLEY M. GARRISON,
Secretary of War.

WAR DEPARTMENT, September 29, 1914.

Providing for License Taxes and Fees.

By virtue of the authority vested in me I hereby establish the following order for the Canal Zone:

SECTION I. There shall be collected the following taxes for operating, in the streets and roads of the Canal Zone, public vehicles not drawn or propelled by steam, gasoline, electricity, or other motive power:

(a) For each coach, carriage, or other conveyance employed in the transportation of passengers for hire, \$12.00 per annum.

(b) For each cart, dray, wagon, or other conveyance employed in the transportation of freight, merchandise, or other property, or employed by any merchant in the transportation of merchandise; \$20.00 per annum for each two-wheel vehicle; and \$30.00 per annum for each four-wheel vehicle.

The foregoing licenses shall be paid for the fiscal year: *Provided*, That the licensee may obtain a license for any period of the fiscal year not less than three months, upon payment of the proportionate tax due for the period for which the license is issued, *And provided further*, That if no license taxes are imposed in the Republic of Panama for operating therein the vehicles of the character in this section named, which are duly licensed in the Canal Zone, to residents thereof, there shall not be imposed or collected in the Canal Zone any license taxes or charges for operating therein like vehicles when duly licensed in the Republic of Panama to residents thereof.

SECTION II. The license tax on motor vehicles and motor cycles, required by the ordinance of the Isthmian Canal Commission, dated April 9, 1912, approved by the Secretary of War, May 1, 1912, amendatory of the ordinance of the Isthmian Canal Commission, enacted August 25, 1910, approved by the Secretary of War, October 31, 1910,⁴⁸⁷ shall be collected for the fiscal year, *Provided, however*, That the licensee may obtain a license for one or more quarters of a year upon payment of the proportionate amount of the license tax to cover the period of the license to be issued to him.

The licenses heretofore issued under said ordinances for motor vehicles and motor cycles shall not be affected by this order, and shall continue to run until the end of

⁴⁸⁶ Executive Order of Apr. 16, 1914, p. 172.

⁴⁸⁷ L. C. Z. 274. That ordinance amended by Executive Order of Sept. 5, 1916, p. 217, and both repealed by order of Apr. 14, 1921, p. 283.

the quarter following the expiration of such licenses, and thereafter the owners must obtain licenses for the fiscal year, or fraction thereof, in conformity with this section.⁴⁸⁸

SECTION III. The following special license taxes shall be collected in the Canal Zone:

(a) For each dance, for which admission is charged, there shall be collected the sum of \$5.00, *Provided, however*, That this tax shall not apply to any dance given for purposes of charity or benevolence, or the celebration of any public occasion authorized by the Governor.

(b) For operating a hurdy-gurdy, street piano, or hand organ, striking machine, view machine, fortune-telling device, cane rack, doll rack, or other similar device, of a nongambling nature, maintained in the open or within an enclosure, where no admission is charged, \$1.00 per month for each such device.

(c) For the retail sale of soda water, other aerated waters, or ice cream from any fountain or booth, or from any cart or vehicle, there shall be charged and collected a tax of \$2.00 per month.

(d) For maintaining a merry-go-round for hire, \$10.00 per month.

(e) For musicians, jugglers, acrobats, trick riders, fortune tellers, and persons engaged in similar businesses or professions, performing in the public highway, or from house to house, \$1.00 per month for each person.

(f) For carrying on the business of a peddler, \$2.00 per month: *Provided*, That no license fee shall be required where only articles of food ⁴⁸⁹ are sold, but the person selling such articles of food may obtain the license upon the condition that he will observe the sanitary regulations of the Canal Zone and obey the orders of the sanitary officials in the conduct of such business, and a failure to do so shall authorize the Executive Secretary to cancel such license.

(g) For maintaining a shooting gallery, \$5.00 per quarter of the year.

(h) For the retail sale of tobacco in any form there shall be charged and collected a tax of \$2.00 per month.

SECTION IV. Before any person engages in any business or calling, or operates any of the public vehicles mentioned in this order, he shall obtain a license to do so from the Executive Secretary, or the official acting under his authority, and such license shall not issue until the person applying for the same shall present a receipt from the Collector of the Panama Canal showing that the license tax herein provided for has been duly paid: *Provided*, That peddlers of articles of foods shall pay no license fee. The license so issued shall authorize the person to conduct the business or calling, or operate the vehicle named therein in the Canal Zone for the period of time mentioned in such license.

The Executive Secretary may refuse to issue a license for any of the purposes hereinbefore mentioned, if the character of the applicant is such as to warrant the belief that the exercise of the privilege granted by the license will not be conducted in an orderly and lawful manner: *And, provided further*, That any license granted pursuant to the foregoing provisions of this order shall at once become null and void upon conviction of the licensee, in any court of the Canal Zone, of a violation of the law in the exercise of the privilege granted by such license.

Any person who shall engage in any of the occupations above enumerated before obtaining the license provided for in this order shall be guilty of a misdemeanor, and shall be subject to a fine not exceeding \$25.00 or imprisonment not exceeding thirty days, or both such fine and imprisonment in the discretion of the court.

SECTION V. That the ordinance enacted by the Isthmian Canal Commission ⁴⁹⁰ on June 9, 1908, and approved by the Secretary of War June 30, 1908, providing for certain taxes and licenses in the Canal Zone, other than for the sale of intoxicating liquors, and the ordinance of the Isthmian Canal Commission of August 5, 1911, approved by the Secretary of War August 22, 1911, amending Section 7 of the above-mentioned ordinance, as well as the ordinance of the Isthmian Canal Commission of October 15, 1912, approved by the Secretary of War October 26, 1912, further amending said Section 7 of said ordinance of June 9, 1908, are hereby repealed; but licenses heretofore issued under said ordinances shall be effective for the period of time specified in such licenses.

This order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 13 October, 1914.

[No. 2062.]

⁴⁸⁸ Secs. 1 and 2 of this order repealed by Executive Order of Apr. 14, 1921, p. 283.

⁴⁸⁹ Fresh meat and shell fish are not allowed to be peddled under license to peddle articles of food.

⁴⁹⁰ See L. C. Z. 268 for ordinance of June 9, 1908, and amendments thereto.

Amending Paragraph 49 of the "Rules and Regulations for the Operation and Navigation of the Panama Canal and Approaches Thereto, Including All Waters Under Its Jurisdiction."

By virtue of the authority vested in me under the Panama Canal Act, Paragraph 49⁴⁹¹ of the "Rules and Regulations for the Operation and Navigation of the Panama Canal and Approaches Thereto, Including All Waters Under Its Jurisdiction," promulgated by Executive Order No. 1990, dated July 9, 1914, is hereby amended to read as follows:

49. No radio tolls, either coast station or forwarding, will be imposed against ships on radiograms transmitted by ships on Canal business. There will be no charge made against the Panama Canal, by Canal Zone land lines or radio stations, for the transmission of radiograms to ships on Canal business.

WOODROW WILSON.

THE WHITE HOUSE, 4 November, 1914.

[No. 2073.]

[Neutrality—Panama Canal Zone.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, the United States is neutral in the present war and whereas the United States exercises sovereignty in the land and waters of the Canal Zone and is authorized by its treaty with Panama of February twenty-six, nineteen hundred and four,⁴⁹² to maintain neutrality in the cities of Panama and Colon, and the harbors adjacent to the said cities:

Now, therefore, I, WOODROW WILSON, President of the United States of America, do hereby declare and proclaim the following Rules and Regulations Governing the Use of the Panama Canal by Vessels of Belligerents and the Maintenance of Neutrality by the United States in the Canal Zone,⁴⁹³ which are in addition to the general "Rules and Regulations for the Operation and Navigation of the Panama Canal and Approaches Thereto, including all Waters under its jurisdiction" put into force by Executive Order of July 9, 1914,⁴⁹⁴ and I do bring to the attention of all concerned the Protocol of an Agreement between the United States and the Republic of Panama, signed at Washington, October 10, 1914, which protocol is hereunto annexed.⁴⁹⁵

Rule 1. A vessel of war, for the purposes of these rules, is defined as follows: a public armed vessel, under the command of an officer duly commissioned by the government, whose name appears on the list of officers of the military fleet, and the crew of which are under regular naval discipline, which vessel is qualified by its armament and the character of its personnel to take offensive action against the public or private ships of the enemy.

Rule 2. In order to maintain both the neutrality of the Canal and that of the United States owning and operating it as a government enterprise, the same treatment, except as hereinafter noted, as that given to vessels of war of the belligerents shall be given to every vessel, belligerent or neutral, whether armed or not, that does not fall under the definition of Rule 1, which vessel is employed by a belligerent Power as a transport or fleet auxiliary or in any other way for the direct purpose of prosecuting or aiding hostilities, whether by land or sea; but such treatment shall not be given to a vessel fitted up and used exclusively as a hospital ship.

Rule 3. A vessel of war of a belligerent, or a vessel falling under Rule 2 which is commanded by an officer of the military fleet, shall only be permitted to pass through the Canal after her commanding officer has given written assurance to the Authorities of the Panama Canal that the Rules and Regulations will be faithfully observed.

The authorities of the Panama Canal shall take such steps as may be requisite to insure the observance of the Rules and Regulations by vessels falling under Rule 2 which are not commanded by an officer of the military fleet.

Rule 4. Vessels of war of a belligerent and vessels falling under Rule 2 shall not revictual nor take any stores in the Canal except so far as may be strictly necessary;

⁴⁹¹ p. 178.

⁴⁹² T. & A. 18.

⁴⁹³ See Art. III of the Hay-Pauncefote Treaty (T. & A. 16), and Art. XVIII of the Hay-Varilla Treaty (T. & A. 18).

⁴⁹⁴ p. 178. See also Proclamation of May 23, 1917, p. 224, providing additional rules and regulations on same subject.

⁴⁹⁵ See also T. & A. 24.

and the transit of such vessels through the Canal shall be effected with the least possible delay in accordance with the Canal Regulations in force, and with only such intermission as may result from the necessities of the service.

Prizes shall be in all respects subject to the same Rules as vessels of war of the belligerents.

Rule 5. No vessel of war of a belligerent or vessel falling under Rule 2 shall receive fuel or lubricants while within the territorial waters of the Canal Zone, except on the written authorization of the Canal Authorities, specifying the amount of fuel and lubricants which may be received.

Rule 6. Before issuing any authorization for the receipt of fuel and lubricants by any vessel of war of a belligerent or vessel falling under Rule 2, the Canal Authorities shall obtain a written declaration, duly signed by the officer commanding such vessel, stating the amount of fuel and lubricants already on board.

Rule 7. Supplies will not be furnished by the Government of the United States, either directly or indirectly through the intervention of a corporation, or otherwise, to vessels of war of a belligerent or vessels falling under Rule 2. If furnished by private contractors, or if taken from vessels under the control of a belligerent, fuel and lubricants may be taken on board vessels of war of a belligerent, or vessels falling under Rule 2 only upon permission of the Canal Authorities, and then only in such amounts as will enable them, with the fuel and lubricants already on board, to reach the nearest accessible port, not an enemy port, at which they can obtain supplies necessary for the continuation of the voyage. The amounts of fuel and lubricants so received will be deducted from the amounts otherwise allowed in the ports under the jurisdiction of the United States during any time within a period of three months thereafter. Provisions furnished by contractors may be supplied only upon permission of the Canal Authorities, and then only in amount sufficient to bring up their supplies to the peace standard.

Rule 8. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the Canal, except in case of necessity due to accidental hindrance of the transit. In such cases the Canal Authorities shall be the judge of the necessity and the transit shall be resumed with all possible dispatch.

Rule 9. Vessels of war of a belligerent and vessels falling under Rule 2 shall not remain in the territorial waters of the Canal Zone under the jurisdiction of the United States longer than twenty-four hours at any one time, except in case of distress; and in such case, shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within twenty-four hours from the departure of a vessel of an opposing belligerent.

The twenty-four hours of this rule shall be construed to be twenty-four hours in addition to the time necessarily occupied in passing through the Canal.

Rule 10. In the exercise of the exclusive right of the United States to provide for the regulation and management of the Canal, and in order to ensure that the Canal shall be kept free and open on terms of entire equality to vessels of commerce and of war, there shall not be, except by special arrangement, at any one time a greater number of vessels of war of any one nation, including those of the allies of a belligerent nation, than three in either terminal port and its adjacent terminal waters, or than three in transit through the Canal; nor shall the total number of such vessels, at any one time, exceed six in all the territorial waters of the Canal Zone under the jurisdiction of the United States.

Rule 11. When vessels of war or vessels falling under Rule 2, belonging to or employed by opposing belligerents, are present simultaneously in the waters of the Canal Zone, a period of not less than twenty-four hours must elapse between the departure of the vessel belonging to or employed by one belligerent and the departure of the vessel belonging to or employed by his adversary.

The order of departure is determined by order of arrival, unless the vessel which arrived first is so circumstanced that an extension of her stay is permissible.

A vessel of war of a belligerent or vessel falling under Rule 2 may not leave the waters of the Canal Zone until twenty-four hours after the departure of a private vessel flying the flag of the adversary.

Rule 12. A vessel of war of a belligerent or vessel falling under Rule 2 which has left the waters of the Canal Zone, whether she has passed through the Canal or not, shall, if she returns within a period of one week after her departure, lose all privileges of precedence in departure from the Canal Zone, or in passage through the Canal, over vessels flying the flag of her adversaries which may enter those waters after her return and before the expiration of one week subsequent to her previous departure. In any such case the time of departure of a vessel which has so returned shall be fixed by the Canal authorities, who may in so doing consider the wishes of the commander

of a public vessel or of the master of a private vessel of the adversary of the returned vessel, which adversary's vessel is then present within the waters of the Canal Zone.

Rule 13. The repair facilities and docks belonging to the United States and administered by the Canal Authorities shall not be used by a vessel of war of a belligerent, or vessels falling under Rule 2, except when necessary in case of actual distress, and then only upon the order of the Canal Authorities, and only to the degree necessary to render the vessel seaworthy. Any work authorized shall be done with the least possible delay.

Rule 14. The radio installation of any vessel of a belligerent Power, public or private, or of any vessel falling under Rule 2, shall be used only in connection with Canal business to the exclusion of all other business while within the waters of the Canal Zone, including the waters of Colon and Panama Harbors.

Rule 15. Air craft of a belligerent Power, public or private, are forbidden to descend or arise within the jurisdiction of the United States at the Canal Zone, or to pass through the air spaces above the lands and waters within said jurisdiction.

Rule 16. For the purpose of these rules the Canal Zone includes the cities of Panama and Colon and the harbors adjacent to the said cities.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this thirteenth day of November in the year of our Lord one thousand nine hundred and fourteen and of the independence [SEAL.] of the United States the one hundred and thirty-ninth.

WOODROW WILSON.

By the President:

W. J. BRYAN,
Secretary of State.

[No. 1287.]

Protocol of an agreement concluded between Honorable Robert Lansing, Acting Secretary of State of the United States, and Don Eusebio A. Morales, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Panama, signed the tenth day of October, 1914.⁴⁹⁶

The undersigned, the Acting Secretary of State of the United States of America and the Envoy Extraordinary and Minister Plenipotentiary of the Republic of Panama, in view of the close association of the interests of their respective Governments on the Isthmus of Panama, and to the end that these interests may be conserved and that, when a state of war exists, the neutral obligations of both Governments as neutrals may be maintained, after having conferred on the subject and being duly empowered by their respective Governments have agreed:

That hospitality extended in the waters of the Republic of Panama to a belligerent vessel of war or a vessel belligerent or neutral, whether armed or not, which is employed by a belligerent power as a transport or fleet auxiliary or in any other way for the direct purpose of prosecuting or aiding hostilities, whether by land or sea, shall serve to deprive such vessel of like hospitality in the Panama Canal Zone for a period of three months, and *vice versa*.

In testimony whereof, the undersigned have signed and sealed the present Protocol in the city of Washington, this tenth day of October, 1914.

ROBERT LANSING. [L. S.]

EUSEBIO A. MORALES. [L. S.]

Order of the Secretary of War, Nov. 16, 1914, authorizing the passage through the Panama Canal by vessels without measurement on payment of tolls on estimated tonnage of vessel, plus 20 per cent.

By direction of the President, and by virtue of the authority vested in him under the Panama Canal Act, it is hereby ordered;

1. In any case, prior to October 1, 1915, where it has been impracticable for a vessel to be measured for a Panama Canal tonnage certificate before arrival at the Isthmus, and where to hold such vessel for measurement by the Canal authorities before transit through the Canal would cause undue delay, the Governor of the Panama Canal may, in his discretion, permit such vessel to go through the Canal upon the payment of a

⁴⁹⁶ See preceding proclamation as well as T. & A. 24.

sufficient amount to cover tolls on the estimated tonnage of the vessel, with twenty per centum added, such payment to be made, or fully secured, in accordance with the provisions of the Executive Order of April 16, 1914.

2. The tonnage of a vessel desiring to go through the Canal under the circumstances herein indicated shall be estimated by the Governor of the Panama Canal, or by his authority, as closely as practicable and may be based on approximate measurements. The Governor's decision as to the estimated tonnage of a vessel shall be final.

3. A refundment of any excess amount in tolls paid for any vessel under the terms of this Order shall only be made after the vessel has been measured under the rules prescribed for the measurement of vessels for the Panama Canal by the Proclamation of the President dated November 21, 1913.⁴⁹⁷ Such vessel should be measured at the first opportunity practicable after going through the Canal, and a certified copy of its Panama Canal tonnage certificate shall be furnished the Governor, who shall have the right to satisfy himself that the certificate conforms to the measurement rules before authorizing refundment of excess tolls, which refundment may then be made in the manner prescribed by Paragraph 7 of the Executive Order of April 16, 1914.⁴⁹⁸

4. The Governor of the Panama Canal may prescribe such additional regulations as may be necessary and proper to carry out the intent of this Order.⁴⁹⁹

LINDLEY M. GARRISON,
Secretary of War.

WAR DEPARTMENT, *November 16, 1914.*

Amending Sections 1 and 2 of the Executive Order of Apr. 15, 1913,⁵⁰⁰ entitled "An Executive Order to Provide Maritime Quarantine Regulations for the Canal Zone and the Harbors of the Cities of Panama and Colon, Republic of Panama."

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

I. That the first paragraph of section 1 of the above-mentioned Executive order is hereby amended to read as follows:

BILLS OF HEALTH.

"Section 1. Masters of vessels clearing from any foreign port or from any port in the possessions or other dependencies of the United States for a port in the Canal Zone or for the ports of Panama or Colon, Republic of Panama, or for passage through the Panama Canal, must obtain an original bill of health in duplicate from the officer or officers authorized by the quarantine laws and regulations of the United States to sign such certificates for vessels entering the ports of the United States. The following form is prescribed for such bills of health:"

II. That the first paragraph of section 2 of the above-mentioned Executive Order is hereby amended to read as follows:

"Section 2. Vessels clearing from any foreign port or from any port in the possessions or other dependencies of the United States for a port in the Canal Zone or for the ports of Panama or Colon, Republic of Panama, or for passage through the Panama Canal, and entering or calling at intermediate ports, must procure at all said ports a supplemental bill of health in duplicate, from the officer or officers authorized by the quarantine laws and regulations of the United States to sign such certificates for vessels entering the ports of the United States. If a quarantinable disease has appeared on board the vessel after leaving the original port of departure, or other circumstances presumably render the vessel infected, the supplemental bill of health should be withheld until such sanitary measures have been taken as are necessary. The following form is prescribed for supplemental bills of health:"

III. This amendment shall take effect from and after the date upon which the Panama Canal is officially and formally opened for use and operation, by proclamation of the President of the United States.⁵⁰¹

WOODROW WILSON.

THE WHITE HOUSE, *11 January, 1915.*

[No. 2118.]

⁴⁹⁷ p. 154.

⁴⁹⁸ p. 172.

⁴⁹⁹ Governor's Circular No. 673 of May 26, 1914, relating to tonnage certificates is annulled so far as it conflicts with this order.

⁵⁰⁰ p. 143. See also amendment by Executive Order of Aug. 14, 1914, p. 197.

⁵⁰¹ Executive Order of Feb. 6, 1917, p. 220, reenacts original order of Apr. 15, 1913, together with amendments noted above, to be effective as of Feb. 6, 1917. See Executive Order of Mar. 31, 1920, p. 268, providing new maritime quarantine regulations, and repealing all laws, orders, and regulations in conflict therewith.

Conditions of Employment.

By virtue of the authority vested in me it is hereby ordered:

1. Pursuant to the provision contained in paragraph 17⁵⁰² of the Executive order of February 2, 1914, fixing the conditions of employment governing employees of the Panama Canal and the Panama Railroad Company on the Isthmus of Panama, a charge will be made for rent, fuel and electric current on and after March 1, 1915.⁵⁰³

2. The rental will be based on a percentage of the value of the quarters occupied, the rate percentum to be the same for all quarters, and the value of the quarters to be appraised by the Governor of the Panama Canal. The amount to be collected should be sufficient to defray the cost of maintenance of the quarters and grounds, maintenance and renewal of furniture, collection and disposal of garbage, and for bachelor quarters janitor service. No charge will be made for water.

FUEL.

3. Fuel will be sold to employees at cost delivered at quarters.

ELECTRIC CURRENT.

4. The charge for electric current will be based on the cost of the current delivered to the quarters. When practicable the current used will be measured by meters; otherwise a charge will be made for each lamp or other device installed.

5. Where employees for the good of the service are required to live in certain designated quarters, one-half the rental will be remitted.

6. When an officer of the Army or Navy is detailed for duty with the Panama Canal, and the amount of extra compensation of the position he occupies over and above his official salary as an officer of the Army or Navy is not sufficient to cover his rent, he will not be charged for rent, but will receive no extra compensation.

7. The Governor of the Panama Canal is charged with the duty of issuing such instructions as may be necessary to carry out this order and to fix and change from time to time if necessary the rates and charges herein outlined subject to the general instructions provided.

8. The free use of quarters, free fuel and free electric current are not, under the conditions of employment now governing, a vested or contract right of employees but revocable privileges, which it has been considered advisable to continue until the permanent force was organized. The revocation of these privileges shall not be made the basis for increasing salaries or wages or otherwise increasing compensation.⁵⁰³

WOODROW WILSON.

THE WHITE HOUSE, 15 January, 1915.

[No. 2120.]

Amending the Civil Service Rules.

Section 2 of Rule X is hereby revoked and the following promulgated in lieu thereof:

2. No person appointed without competitive examination to a position classified at the time of such appointment, and no person serving in an unclassified position, or in a position named in Schedule A or Schedule B, not appointed by competitive examination or by transfer or promotion from a competitive position, shall be transferred to a competitive position except as hereinafter provided in this rule and in Schedule A.

This amendment is promulgated upon the recommendation of the Civil Service Commission to make a definite prohibition upon the transfer of a person appointed through noncompetitive examination under Schedule B, and to indicate that there are exceptions from the general provisions of the section in other sections of the rules.

Section 12 of Rule X is hereby revoked and the following promulgated in lieu thereof:

⁵⁰² p. 158.

⁵⁰³ Modified by Executive Order of May 25, 1915, p. 213, by suspending from the operation hereof so much as relates to rent, fuel, and light during the period of actual construction of the Canal, but not later than June 30, 1916. By Executive Order of July 25, 1916, p. 215, the above order of Jan. 15, 1915, was rescinded and abrogated. But the order of Aug. 10, 1916, p. 216, provided that the aforesaid order of July 25, 1916, did not apply to alien silver employees. See the 627 series of Governor's Circulars on subject of quarters for gold employees, and the 628 series *in re* silver employees. See also act of Congress of July 9, 1918 (T. & A. 204), providing that officers of the Army pertaining to the United States troops serving in the Canal Zone shall not be required to pay rent for the occupancy of houses of the Panama Canal to which they may be assigned. Executive Order of Dec. 3, 1921, provides basis for rent and related charges for American employees, p. 291.

12. A citizen of the United States in the service of the Panama Canal on or before January 1, 1915, in an excepted position other than that of clerk paying not more than \$75 in gold per month may be transferred without examination to a position in the competitive classified service, provided:

(a) This section shall not apply to a person appointed to a competitive position in accordance with the civil service rules, his transfer to be governed by the general provisions of the rules.

(b) This section shall not apply to a person appointed without examination to perform the duties of clerk of any grade, bookkeeper, stenographer, typewriter, surgeon, physician, trained nurse, or draftsman.

(c) He must have rendered at least two years' service in a position above the grade of mere unskilled laborer in the service of the Panama Canal or of the Panama Railroad by transfer from the Canal.

(d) He may be transferred to a position of no higher grade requiring similar qualifications or to a position of a lower grade for which he is qualified.

(e) He must be specially recommended by the Governor of the Panama Canal by reason of efficient service and satisfactory conduct.

(f) If separated from the service the requisition for transfer must be made within three years from the date of separation, and if he has been separated more than one year evidence of continuing good character and efficiency may be required.

This order is promulgated upon the recommendation of the Secretary of War, the Governor of the Panama Canal, and the Civil Service Commission. It supersedes the Executive order of February 18, 1913,⁵⁰⁴ relating to the transfer of artisans from the service of the Panama Canal, which by Executive order of June 15, 1914,⁵⁰⁵ was included in section 12 of Rule X.

The effect of this order is to confer eligibility for transfer, subject to proper restrictions, upon employees of the Panama Canal who have rendered two years' satisfactory service in excepted positions and who have not had full opportunity for examination. Employees appointed through competitive examination and artisans only have been eligible for transfer, the force of engineers, foremen, trainmen and other persons not regarded as artisans, not being eligible.⁵⁰⁶

WOODROW WILSON.

THE WHITE HOUSE, 19 January, 1915.

[No. 2121.]

Establishing Regulations Governing the Accounting to the Treasury of the United States for Panama Canal Collections (Section 5 of the Act of Aug. 1, 1914, Public No. 161, p. 79).

By virtue of the authority vested in me, under section 5⁵⁰⁷ of the Act of August 1, 1914, I hereby prescribe the following regulations governing accounting to the Treasury of the United States for moneys received on account of the Panama Canal by the collecting officers:

1. The Collector of the Panama Canal shall render his accounts monthly to the Auditor for the War Department for all moneys received by him, or placed to his official credit from whatever source received, or in whatever manner placed to his official credit, on account of the United States (Panama Canal). These accounts, however, need not include revenues of the Canal Zone Government, money order funds, postal saving bank funds, clubhouse funds, moneys of the Panama Railroad Company, or similar moneys or funds for which the United States can not be held to be a trustee. Said accounts shall be rendered in such detail and be accompanied by such papers, records, and copies thereof relating to such collections as are hereinafter specified and upon forms to be approved by the Comptroller of the Treasury in accordance with these regulations.

2. The Collector shall give bond to the United States, to be filed with the Secretary of the Treasury, in such sum as may be fixed by the Governor of the Panama Canal, conditioned for the faithful performance of his duties of collecting and disbursing all public moneys and honestly accounting without fraud or delay for the same, including moneys of the United States embraced in any special deposit account to be submitted to the Auditor for the War Department.

⁵⁰⁴ p. 133.

⁵⁰⁵ p. 176.

⁵⁰⁶ See 603 series of Governor's Circulars relating to transfers and promotions:

⁵⁰⁷ T. & A. 109.

3. The monthly accounts current of the Collector, under both his regular account and such special deposit account as he may be authorized by law to keep, rendered on forms prescribed by the Comptroller of the Treasury for that purpose, shall be accompanied by a schedule of the amounts received by him, which accounts shall be so stated as to show the date each amount was received by him directly, or from his deputies, or from other receiving agents; the number of the Collector's receipt issued therefor, the person from whom received, the source from which received, and, in proper columns, the amounts collected for tolls, the amount to be covered into the Treasury as miscellaneous receipts, and the amount to be credited to appropriations, and in case of his special deposit account, a schedule of the amount of refunds or repayments made.

4. The schedule showing the details as provided in section three above, shall be accompanied by signed copies of all formal bills, registered as such in the office of the Auditor of the Panama Canal, on which collection is made, and, where practicable in the judgment of the Governor of the Panama Canal and it can be done without an increase in the clerical force, signed copies of receipts, where there has been no formal bill, will be transmitted to the Auditor for the War Department, together with such other supporting papers as are deemed necessary by the Governor. In addition to the requirements of this section and sections three, five, six and seven hereof, the examination and inspection provided for in section eight hereof, shall be made, and the report of the persons designated thereunder shall be filed with the accounts of the Collector transmitted to the Auditor for the War Department as a part of the record to support such accounts for the period covered by such report. The facts stated in this report shall be certified to by the persons designated to make the inspection and examination. Such inspection and examination shall be made at as early a date as practicable after the expiration of the period which it is to cover, and the report of the persons designated to make it shall be promptly filed. A signed copy of this report shall be furnished to and filed by the Auditor of the Panama Canal and preserved as a part of the files of his office and one copy shall be furnished to the Comptroller of the Treasury for his files.

5. Immediately following each item of receipt from the deputy collectors or other receiving agents, there shall be scheduled a list of all items collected by them on formal bills, in the same manner as if paid to the Collector direct, and all other collections not covered by formal bills, shall be segregated into items according to the source from which derived, such as hospital service, water rental, etc. Sales slips, memorandum bills for hotel and hospital services, water rentals, rentals for quarters, electric current, corral services, and bills of like character, and other papers relating thereto need not accompany the Collector's account, except in special cases where it would be necessary that they should accompany the account in order to make a complete explanation of the collection.

6. The Auditor of the Panama Canal shall prepare and forward with the Collector's account, a consolidated statement showing the total amount received by the Collector, classified according to the sources from which derived with as much detail as practicable, whether from sales of material, repairs, rentals, hotel or hospital service, towage, pilotage, etc., and shall specify the amount to be credited to each appropriation or miscellaneous receipts, and the amount that should appear in the special deposit account.

7. The Auditor of the Panama Canal will certify to the correctness of the statement above referred to, and, in addition, will certify that he has examined the records and accounts of all officers and agents who have collected moneys for the Panama Canal, and that the statements include all funds received by the Collector from the persons and sources indicated, and that, so far as shown by the records of the Auditor's office, the Collector's account is a full, true and complete account of all public moneys which came into the possession of the Collector during the period covered by the account, and that the special deposit account of the Collector contains a true, correct, and complete account of all moneys received by the Collector or placed to his official credit in his special deposit account, which does not appear in his regular account.

8. As a part of the detail required by these regulations, two competent persons, one from the office of the Auditor for the War Department designated by the Auditor, and one from the office of the Comptroller of the Treasury designated by the Comptroller, shall be detailed semi-annually at such time as may be designated by the Comptroller, but not oftener than once in six months, to proceed to the Canal Zone and examine the records and accounts of the collections of the Panama Canal for the six months just prior to such examinations, in such detail as may be necessary to enable them

to verify the correctness of the collections not supported by collection vouchers in detail for such period, as stated in the schedule of collections submitted by the Collector with his accounts. They shall also make such other investigations as the Comptroller may direct. Such persons shall make a report in triplicate, and certify and file the same as provided in section four hereof. If such persons disagree each shall make and file in the same manner as provided for the joint report in section four hereof a separate report as to the items upon which they disagree. Such persons shall be given free access to all records and papers pertaining to the accounts under examination. Such persons shall be furnished free transportation going to and returning from the Isthmus, including meals while on the steamer, and shall be paid a per diem of four (\$4.00) dollars from the day of sailing from the United States until return thereto, both dates inclusive, in lieu of subsistence and all other expenses. Such expenses shall be paid out of any appropriation for the Panama Canal that may be designated by the Governor, and which is applicable therefor.

9. The Collector shall, within twenty days after the close of each month, forward to the Auditor of the Panama Canal for administrative examination, his special deposit and regular accounts for such month. The Auditor of the Panama Canal shall give such accounts an administrative examination, and transmit them to the Auditor for the War Department within twenty days from the date of their receipt from the Collector.

10. The gross proceeds of all collections which the Panama Canal Act and section three of the Act of August 1, 1914, or any other Act, authorize to be credited to appropriations, shall be so credited by the Collector and deposited in the Treasury to the credit of the proper appropriation or transferred to the Paymaster of the Panama Canal to be taken up in the Paymaster's accounts for disbursement.

11. At the close of each fiscal year the Auditor of the Panama Canal shall determine, as nearly as may be practicable from a profit and loss account to be stated by him, the net profits for such fiscal year, and direct that there shall be covered into the Treasury from the proper appropriation to "Miscellaneous Receipts," a sum equal to the net profits shown by such account, and said account shall be transmitted to the Auditor for the War Department for examination and file.

12. The facts necessary to support such transactions as are not shown by collection vouchers in detail, shall be verified by the certificate of an administrative officer having personal knowledge of such transaction where this is practicable. The certificate above required may be so made, however, that one certificate will cover a number of items of collections of the same class, involving different transactions, such as the collections from the Tivoli Hotel, or the sales in stores, etc., as shown in section five hereof, covering a period of time to be stated in such certificate.

13. The Governor of the Panama Canal shall prescribe such administrative regulations as he deems necessary to efficiently carry these regulations into full force and effect.⁵⁰⁸

WOODROW WILSON.

THE WHITE HOUSE, 4 February, 1915.

[No. 2135.]

Relative to the production, importation, compounding, dealing in, dispensing, selling, distributing, or giving away Opium, or Coca Leaves, their salts, derivatives, or preparations, in the Canal Zone, under the Act of Congress, approved Dec. 17, 1914.

Whereas the Act of Congress approved December 17, 1914⁵⁰⁹ (Public No. 223), is made specifically applicable in the Canal Zone, but further provides that

"The President is authorized and directed to issue such executive orders as will carry into effect in the Canal Zone the intent and purpose of this Act by providing for the registration and imposition of a special tax upon all persons in the Canal Zone who produce, import, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations;" and

Whereas the Auditor of the Panama Canal and the Collector of the Panama Canal perform in the Canal Zone corresponding duties in connection with the revenues of the Canal Zone as are performed in the United States by the Commissioner of Internal Revenue and the collectors of internal revenue, respectively;

Now therefore, by virtue of the authority conferred upon me by the above quoted provisions of the said Act of Congress, it is hereby ordered:

⁵⁰⁸ See Governor's Circular No. 660-2, providing organization of the Accounting Department, and defining duties of Auditor, Paymaster, and Collector.

⁵⁰⁹ T. & A. 111.

SECTION 1. That in enforcing the provisions of the Act of Congress approved December 17, 1914, entitled "An Act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," the Auditor of the Panama Canal shall perform in the Canal Zone administrative duties like unto those the Commissioner of Internal Revenue is required to perform outside of the Canal Zone, and the Collector of the Panama Canal shall perform duties in the Canal Zone like unto those the collectors of internal revenue are required to perform in districts outside of the Canal Zone.

SECTION 2. That on and after the first day of March, 1915, no person shall produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away in the Canal Zone opium or coca leaves, their salts, derivatives, or preparations, unless he shall have complied with the provisions of the Act of Congress approved December 17, 1914, in the manner provided for in this Executive Order.

SECTION 3. That every person who by the terms of said Act would be required, if located outside of Porto Rico, the Philippine Islands, or the Canal Zone, to register with the collector of internal revenue of his district, his name or style, place of business, and place or places where such business is to be carried on, shall register the like information with the Collector of the Panama Canal on forms to be prescribed by the Auditor of the Panama Canal. At the time of such registry and on or before the first day of July annually thereafter, every person who produces, imports, manufactures, compounds, deals in, dispenses, sells, distributes, or gives away any of the aforesaid drugs shall pay to the Collector of the Panama Canal a special tax at the rate of One Dollar per annum: *Provided, however,* That any person who would not be required, if located outside of the Canal Zone, to register or pay a special tax shall not be required to register or pay the special tax as herein provided.

SECTION 4. That the Auditor of the Panama Canal, with the approval of the Governor of the Panama Canal, shall cause suitable order forms and blanks to be prepared and placed in the hands of the Collector of the Panama Canal for sale by such Collector to persons who shall have registered and paid the special tax as required by said Act and this Executive Order. The price to be paid for such order forms and blanks shall be One Dollar per hundred, and the Collector of the Panama Canal shall be subject to the same limitation as to sale of said order forms and blanks as collectors of internal revenue in districts outside of the Canal Zone. The Collector shall account monthly to the Auditor of the Panama Canal for the special taxes collected by him and for all monies received by him from the sale of blanks, or for any other purpose under the provisions of said Act. The Auditor of the Panama Canal, with the approval of the Governor of the Panama Canal, shall provide such regulations as may be necessary to carry into full force and effect the provisions of this Executive Order. In providing such regulations the form of regulations prescribed by the Internal Revenue Commissioner and approved by the Secretary of the Treasury shall be followed so far as they can be made applicable to conditions in the Canal Zone.

SECTION 5. That the Auditor of the Panama Canal, with the approval of the Governor of the Panama Canal, shall have the right to make such inspection and take such action as may be necessary to enforce the provisions of the Act of December 17, 1914, under this Executive Order.

SECTION 6. That any person who violates or fails to comply with any of the requirements of said Act in the manner provided for in this Executive Order, in the Canal Zone, shall be subject to such penalties as are provided for in said Act.⁵¹⁰

WOODROW WILSON.

THE WHITE HOUSE, 1 March, 1915.

[No. 2142]

Order of the President, Mar. 23, 1915, reinstating Dr. Edward P. Beverley as a physician in the Panama Canal Service.

The year limit upon eligibility for reinstatement is hereby waived to permit the reinstatement of Dr. Edward P. Beverley as a physician in the Panama Canal Service.

Dr. Beverley's reinstatement by Executive Order is recommended by General Geo. W. Goethals, Governor of the Panama Canal. Dr. Beverley entered the service on

⁵¹⁰ Sec. 9 of that act reads as follows: "That any person who violates or fails to comply with any of the requirements of this act shall, on conviction, be fined not more than \$2,000 or be imprisoned not more than 5 years, or both, in the discretion of the court."

July 6, 1904; served through the period when tropical diseases were prevalent, and by his efficient service was successively promoted until he held one of the highest positions therein at the close of his service December 15, 1913, being rated as "excellent" in both conduct and character of work. Necessity for a change of climate required his resignation, but he has recovered from the effects of his long residence in the tropics and desires to return to work on the Isthmus.

The Civil Service Commission concurs in recommending this order.

WOODROW WILSON.

THE WHITE HOUSE, 23 March, 1915.

[No. 2152.]

Order of the President, Apr. 7, 1915, providing for the issuance of provisional certificates of registry of vessels by certain collectors of customs and captains of ports.

In pursuance of the authority conferred upon the President of the United States by the Act approved March 4, 1915, entitled, "An Act To provide for provisional certificates of registry of vessels abroad, and for other purposes," the Collector of Customs of the Philippine Islands, the Captains of the Ports of Cristobal and Balboa, Canal Zone, and the Governor of Guam, are designated for the purpose of issuing provisional certificates of registry to vessels abroad which have been purchased by citizens of the United States, including corporations, as defined in section forty-one hundred and thirty-two, Revised Statutes, as amended by the Panama Canal Act ⁵¹¹ and the Act of August eighteenth, nineteen hundred and fourteen.⁵¹²

WOODROW WILSON.

THE WHITE HOUSE, 7 April, 1915.

[No. 2164.]

Order of the President, Apr. 27, 1915, changing the name of Culebra Cut to Gaillard Cut.

It is hereby ordered that the portion of the Panama Canal through the continental divide heretofore known as "Culebra Cut" shall hereafter be named "Gaillard Cut" in honor of the late Lieutenant Colonel D. D. Gaillard, Corps of Engineers, United States Army.

As a member of the Isthmian Canal Commission ⁵¹³ from March 16, 1907, to December 5, 1913, Lieutenant Colonel Gaillard was in charge of the work in Culebra Cut until its virtual completion, being compelled to abandon his duties in July, 1913, through an illness which culminated in his death on December 5, 1913. His period of Panama Canal service included the years of most active construction work. He brought to the service trained ability of the highest class, untiring zeal and unswerving devotion to duty.

I deem it a fitting recognition of Lieutenant Colonel Gaillard's service to the country to rename in his honor the scene of his life's triumph.

WOODROW WILSON.

THE WHITE HOUSE, 27 April, 1915.

[No. 2185.]

Order of the Secretary of War, May 12, 1915, providing regulations for the sale of material.

The Sundry Civil Act approved March 3, 1915, contains the following clause: "expenses incurred in assembling, sorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal, which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sales."

There is no clause in this Act as there was in former similar acts specifying the manner in which the above-mentioned items might be sold.

⁵¹¹ Sec. 5 (T. & A. 79).

⁵¹² *Ibid.*, 111.

⁵¹³ Appointed Commissioner by Executive Order of Mar. 16, 1907, p. 63. See notes thereunder.

Under the general authority of the President to issue regulations for the government of the Panama Canal and by his direction, it is therefore ordered that the regulations relative to the sale of material enumerated above as heretofore laid down by the President for the fiscal year ending June 30, 1915, shall remain in force until further ordered.

LINDLEY M. GARRISON,
Secretary of War.

WAR DEPARTMENT, *Washington, D. C., May 12, 1915.*

Order of the President, May 25, 1915, modifying the Executive Order of Jan. 15, 1915, relative to the charges to be made against employees for rent, fuel, and electric current.

By virtue of the authority vested in me, it is hereby ordered that the Executive Order of January 15, 1915,⁵⁴ relative to charges for rent, fuel and electric current furnished employees of the Panama Canal and the Panama Railroad Company on the Isthmus of Panama, is modified by suspending from the operation thereof so much as relates to rent, fuel, and lights during the period of actual construction of the Panama Canal but not later than June 30, 1916.

WOODROW WILSON.

THE WHITE HOUSE, *25 May, 1915.*

[No. 2204.]

Order of the President, June 8, 1915, designating a flag for the Governor of the Panama Canal.

It is hereby ordered that the Governor of the Panama Canal shall have a distinctive flag for use in his official capacity, which shall be known as the Flag of the Governor of the Panama Canal.

This flag shall be made in two dimensions, as follows: large flag, 6 ft. hoist, by 7 ft. 6 in. fly; small flag, 2 ft. hoist, by 2 ft. 6 in. fly. The body of the flag shall be dark blue. In the center of the flag shall be a white circle, the diameter of which shall be approximately one-half of the fly length of the flag. In the center of the circle, on each side of the flag, shall be the Seal of the Canal Zone, of which the following is a description:

"The seal consists of a shield, showing in base a Spanish galleon of the Fifteenth Century under full sail coming head on between two high banks, all purple, the sky yellow with the glow of sunset; in the chief are the colors of the arms of the United States. Under the shield is the motto: 'The land divided; the world united!'"

The Flag of the Governor of the Panama Canal shall be used as follows:

When the Governor of the Panama Canal is embarked in a boat for the purpose of making an official call, his flag shall be carried on a staff at the bow of the boat in which he is embarked.

While on board in his official capacity, or when taking passage on any Canal craft, his flag shall be carried at the mainmast head.⁵⁵

WOODROW WILSON.

THE WHITE HOUSE, *8 June, 1915.*

[No. 2208.]

Order of the Secretary of War of Oct. 16, 1915, providing annual recess of the Joint Land Commission and Leave Regulations.

By direction of the President, it is ordered:

1. That the Joint Commission for the appraisalment and settlement of damages to property in the Canal Zone, established in accordance with the provisions of the Canal Convention between the United States and Panama, concluded November 18, 1903, is hereby authorized, with the approval of the Secretary of State of the United States and the Panaman Executive, to take a recess of not exceeding sixty days in each fiscal year, and the members thereof, or any of them, may be granted a leave of absence during the recess of the Commission, by their respective Governments.

2. That payment for any absence of a member of the Commission, due to illness or injury, shall be made upon the certificate of a physician in the employ of The Panama Canal that such absence is due to illness or injury.

⁵⁴ p. 207. See notes thereunder. That order was rescinded and abrogated by Executive Order of July 25, 1916, p. 215, as applied to gold employees and American silver employees. See Executive Order of Dec. 3, 1921, p. 291.

⁵⁵ See Governor's Circular No. 716, relating to flag display.

3. That payment for leave of absence granted under the provisions of this order during the recess of the Commission shall be made at the rate of Fifteen Dollars (\$15.00) per day.

4. That payment for absence, whether granted as leave in conformity with the provisions of this order, or whether due to illness or injury, shall not be made for more than sixty days in one fiscal year.

5. That no payment shall be made for any days during which the members of the Commission may be absent from duty except as authorized by this order, and except to the American Commissioners for the time required for them to return to New York upon the termination of their services.

LINDLEY M. GARRISON,
Secretary of War.

WAR DEPARTMENT, *October 16, 1915.*

Order of the Secretary of War of Mar. 16, 1916, appointing Clement L. Bouvé a member of the Joint Commission.

By direction of the President, it is ordered:

That Clement L. Bouvé, who has been appointed a member of the Joint Commission for the appraisal and settlement of damages to property in the Canal Zone, in accordance with the provisions of Article Six and Fifteen of the Convention between the United States and Panama, concluded November 18, 1903, be allowed Twenty-five (\$25) dollars per day for his services including all expenses, from the time of his sailing from New York until his return thither; provided that he shall be granted free transportation on the Panama Railroad Steamship Line from New York to the Isthmus and return, free transportation over the Panama Railroad, and such other transportation as may be necessary when traveling on official business on the Isthmus; he shall also be allowed the ordinary privileges of Government employees on the Isthmus, including employees' rates at the hotels of The Panama Canal or the Panama Railroad Company on the Isthmus.

NEWTON D. BAKER,
Secretary of War.

WAR DEPARTMENT, *Washington, D. C., March 25, 1916.*

Order of the Secretary of War of May 13, 1916, appointing an Umpire for Joint Land Commission.

By direction of the President it is ordered that Señor Don Victor Maria Concas Palau, Vice Admiral of the Spanish Navy, who has been appointed Umpire in virtue of the provisions of articles VI and XV of the Treaty of November 18, 1903, between the United States and the Republic of Panama in the settlement of certain claims which have come before the Joint Commission provided for in those articles, and in which the Commission has failed to render a decision owing to disagreement, be allowed Ten Thousand Dollars (\$10,000.00) per annum for his services including all expenses from the time of his sailing from Spain to his return thither, provided that he shall be reimbursed for his steamship transportation from Spain to the Isthmus and return except that should he elect not to return to Spain by the most direct route he shall be paid his salary for a period equal to that for which he would have been paid had he returned to Spain by direct route, and he shall be paid a sum equal to that which he would have expended for transportation had he returned to Spain by direct route; he shall be allowed free transportation over the Panama Railroad, and such other transportation as may be necessary when traveling on official business on the Isthmus; he shall also be allowed the ordinary privileges of government employees on the Isthmus including employees' rates at the hotels of The Panama Canal or the Panama Railroad Company on the Isthmus.

NEWTON D. BAKER,
Secretary of War

WAR DEPARTMENT, *Washington, D. C., 13 May, 1916.*

Order of the President of May 17, 1916, relating to assistance to be furnished the Governor by the military and naval forces in the Canal Zone.

Under the provisions of the Panama Canal Act the Governor is charged with the protection of the Canal until such time as the President may designate an officer of

the Army to have entire control of the Canal and the Canal Zone during time of war or threatened war.⁵¹⁶ The military and naval forces stationed in the Canal Zone will furnish such assistance to the Governor in the performance of this duty as the respective commanding officers may be requested by him to render.

WOODROW WILSON.

THE WHITE HOUSE, 17 May, 1916.

[No. 2382.]

Order of the President of June 30, 1916, relating to Classified Service Appointments.

Mr. Warren J. Brown, Mr. Henry C. Mansfield, and Mrs. Florence E. Cleveland may be appointed as clerks in the classified service of the Government without reference to the civil service rules.

This order is issued upon the recommendation of the Secretary of War, who submits a detailed report from the Governor of The Panama Canal, giving special reasons as to why the same should be issued, in view of which it is believed that the appointment of these three persons will be in the interest of the service. From the Governor's report it appears that Messrs. Brown and Mansfield have rendered long and very satisfactory service in the employment of the Government on the Isthmus of Panama; and that Mrs. Cleveland, whose husband was killed May 23, 1914, while employed as an operator of one of the towing locomotives of the Panama Canal, has been employed in an excepted position in the Panama Canal service since November 16, 1914, in which position it appears she has rendered very satisfactory service.

The Civil Service Commission does not concur in the recommendation.

WOODROW WILSON.

THE WHITE HOUSE, 30 June, 1916.

[No. 2410.]

Establishing regulations providing conditions under which The Panama Canal and the Panama Railroad Company employees on the Isthmus of Panama, may be allowed the use of quarters, fuel and electric current.

By virtue of the authority vested in me, and The Panama Canal Act approved August 24, 1912, it is hereby ordered:

1. That the Executive Order of January 15, 1915,⁵¹⁷ No. 2120, is hereby rescinded and abrogated.

2. That effective July 1, 1916, officers and employees of The Panama Canal and the Panama Railroad Company on the Isthmus of Panama,⁵¹⁸ shall be allowed, where available, quarters free of rent, and shall be furnished fuel and electric current free.

3. That the Governor of The Panama Canal is hereby authorized to assign to officers and employees of The Panama Canal and of the Panama Railroad Company, such quarters as may be available for occupancy, and to make all rules and regulations necessary to govern the assignment and occupancy of such quarters, including rules and regulations relative to the furnishing of fuel and electric current to officers and employees of The Panama Canal and the Panama Railroad Company while occupying such quarters.

4. That officers and employees of The Panama Canal and the Panama Railroad Company, for whom quarters are not available or who do not occupy such quarters as may be assigned to them by the Governor of The Panama Canal, shall have no claim against the Government of the United States for commutation of quarters not furnished or not occupied, nor for fuel and electric current not furnished.

5. That all rules and regulations⁵¹⁹ governing the assignment and occupancy of quarters heretofore promulgated by the Governor of The Panama Canal or the Isth-

⁵¹⁶ Sec. 13 (T. & A. 79) provides for control by Army officer during time of war. Executive Order of Apr. 9, 1917, p. 224, designated the Army officer commanding United States troops in the Canal Zone to have exclusive authority and jurisdiction of the Panama Canal, and its adjuncts, during the war with Germany, or until otherwise ordered. That order was declared terminated and no longer in force by the Executive Order of Jan. 25, 1919, p. 251.

⁵¹⁷ p. 406. That order provided charges for rent, light, and fuel, but was suspended by order of May 25, 1915, p. 213, for period ending June 30, 1916.

⁵¹⁸ Executive Order of Aug. 10, 1916, p. 216, provides that this order does not apply to alien silver employees. See also act of July 9, 1918 (T. & A. 203), providing that Army officers pertaining to United States troops serving in the Canal Zone shall not be required to pay rent for the occupancy of houses of the Panama Canal to which they may be assigned.

⁵¹⁹ See Governor's Circulars No. 627 series relating to gold quarters, and the 628 series relating to silver quarters.

mian Canal Commission, not inconsistent with the provisions of this Executive Order, are continued in full force and effect until such time as they may be changed by regulations promulgated by the Governor of The Panama Canal under authority of this Executive Order; and all rules and regulations heretofore promulgated by the Governor of The Panama Canal in connection with the use and occupancy of quarters and the furnishing of fuel and electric current to officers and employees of The Panama Canal and the Panama Railroad Company, inconsistent with the provisions of this Executive Order, are hereby rescinded and abolished.

WOODROW WILSON.

THE WHITE HOUSE, 25 July, 1916.

[No. 2428.]

Modification of Executive Order No. 2428, dated July 25, 1916, establishing regulations providing conditions under which the Panama Canal and the Panama Railroad employees on the Isthmus of Panama may be allowed the use of quarters, fuel and electric current.

By virtue of the authority vested in me by the Panama Canal Act approved August 24, 1912, it is hereby ordered:

That the provisions of Executive Order No. 2428, dated July 25, 1916,⁵²⁰ shall not apply to alien silver employees. Such employees shall be charged for quarters, fuel and electric current in accordance with such rules and regulations heretofore or hereafter promulgated by the Governor of the Panama Canal.⁵²¹

WOODROW WILSON.

THE WHITE HOUSE, 10 August, 1916.

[No. 2440.]

Relating to Motor Vehicles, and their Operation in the Roads of the Canal Zone.

By virtue of the authority vested in me I hereby establish the following Executive Order for the Canal Zone:

Section 1. There shall be collected on motor vehicles owned by residents of the Canal Zone and operated therein, an annual license fee as follows:

For each passenger automobile for personal use only, five dollars (\$5.00).

For each automobile of twenty-nine horse-power or less, used for carrying passengers for hire, twenty dollars (\$20.00).

For each automobile of more than twenty-nine horse-power, used for carrying passengers for hire, thirty dollars (\$30.00).

For each truck or omnibus of one-ton capacity or less, twenty dollars (\$20.00).

For each truck or omnibus of a capacity of more than one ton but less than three tons, thirty dollars (\$30.00).

For each truck or omnibus of a capacity of three tons or more, forty dollars (\$40.00).

For each motor-cycle, two dollars (\$2.00).

In case of a dispute as to the horse-power or capacity of a vehicle, the issue shall be referred to the Board of Local Inspectors, and the decision of the Board thereon shall be final.

License fees shall be paid for the calendar year; but if any part of the calendar year shall have expired when the license is taken out, then the license fee to be paid shall be proportioned to the part of the calendar year remaining, including therein the calendar quarter in which the license is paid; but the Governor shall have authority to issue short-term licenses at rates proportionate to the rates in the above schedule, in such special cases as he may deem proper.

Licenses heretofore issued shall continue in force, and the licensees shall not be required to pay fees hereunder until the licenses previously issued to them shall have expired.⁵²²

Section 2. Motor vehicles owned by residents of the Republic of Panama and operated in the Canal Zone, shall pay the same annual license fee as is imposed by the Republic of Panama on motor vehicles owned by residents of the Canal Zone

⁵²⁰ p. 215. See notes thereunder.

⁵²¹ See the 628 series of circulars relating to rental of silver quarters.

⁵²² Sec. 1 superseded so much of amended sec. 1 of the ordinance of Aug. 25, 1910 (L. C. Z. 274), as related to license fees on motor vehicles. It also modified sec. 2 of Executive Order of Oct. 13, 1914, p. 201, so far as relates to paying license fees for motor vehicles by fiscal year.

and operated in the Republic of Panama; *Provided*, That the Governor of the Canal Zone may enter into arrangements with the authorities of the Republic of Panama by which any class or classes of vehicles owned by residents of the Canal Zone and operated in the Republic of Panama may be exempted from the payment of license fees in the Republic of Panama, or required to pay fees at a reduced rate, and any class or classes of vehicles owned by residents of the Republic of Panama and operated in the Canal Zone may be exempted from the payment of license fees in the Canal Zone, or required to pay fees at a reduced rate.

Section 3. The Governor of the Canal Zone is hereby authorized to exempt from the payment of license fees hereunder motor vehicles operated exclusively within certain areas or districts of the Canal Zone, to be defined by him,⁵²³ and the Governor is also authorized by public notice to prohibit motor vehicles of any or all kinds from operating on such portions of the roads in the Canal Zone as he may designate, when, in his judgment, the public interest requires it;⁵²⁴ or he may permit any of said vehicles to be operated in any areas or districts designated by him, upon such conditions as he may deem necessary and convenient for the welfare of the Panama Canal.

Section 4. The use of flare lights on vehicles, within the limits of any city, town, or village in the Canal Zone is hereby prohibited; and on roads outside of any city, town, or village limits, the drivers of automobiles and motor-cycles shall extinguish their flare lights at least one hundred and fifty (150) feet from an approaching vehicle, and shall pass such approaching vehicle with the use of their dimmer lights only.

Section 5. Section 1 of the Executive Order of February 28, 1912, No. 1489, relating to motor vehicles,⁵²⁵ is hereby amended to read as follows:

Section 1. It shall be unlawful to drive or operate a motor vehicle or bicycle over the roads of the Canal Zone outside of town or village limits, at a speed exceeding twenty-five (25) miles an hour on straight roads, or at a speed exceeding twelve (12) miles an hour when approaching or traversing curves, forks, or cross roads, or when traveling over the streets of any city, town, or village of the Canal Zone or when approaching another vehicle. The owner of an automobile if within the car shall be held responsible for its speed. In the absence of the owner the person actually operating the automobile shall be held responsible. The person operating a motor-cycle or bicycle shall be held responsible for its speed.

Section 6. Any person violating any of the provisions of this order shall be punished in the manner prescribed in Section 5 of the Act of Congress, approved August 21, 1916,⁵²⁶ and entitled: An Act Extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provisions as to certain fees, money orders, and interest deposits.

Section 7. This Order shall take effect on and after October 1, 1916.⁵²⁷

WOODROW WILSON.

THE WHITE HOUSE, 5 September, 1916.

[No. 2451.]

Transferring to the Governor of The Panama Canal the administration of the Act approved Sept. 7, 1916, so far as Panama Canal and Panama Railroad employees are concerned.

By virtue of the authority vested in me by Section 42 ⁵²⁸ of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, it is hereby ordered:

1. That the administration of the Act entitled, "An Act to provide compensation for employees of the United States suffering injuries while in the performance of

⁵²³ See Governor's Circular No. 717-1, exempting from payment of license fee motor vehicles operated exclusively on west side of Canal.

⁵²⁴ Governor's Circular No. 717-2, governs operation of vehicles in Ancon Hospital grounds.

⁵²⁵ p. 273. It will be noted that sec. 2 of that order, governing the rule of the road, was not amended by this order.

⁵²⁶ T. & A. 130.

⁵²⁷ Above order repealed by order of Apr. 14, 1921, p. 283, which also repealed all other orders and ordinances relating to same subjects.

⁵²⁸ T. & A. 139. See notes thereunder.

their duties, and for other purposes," approved September 7, 1916, so far as employees of The Panama Canal and of the Panama Railroad Company are concerned, is hereby transferred to the Governor of The Panama Canal.⁵²⁹

2. That in the case of compensation to employees of The Panama Canal, or of the Panama Railroad Company, for temporary disability, either total or partial, the Governor of The Panama Canal is hereby authorized to waive, at his discretion, the making of the claim required by section eighteen of said Act.

3. That in the case of alien employees of The Panama Canal, or of the Panama Railroad Company, the minimum limit established by section six on the monthly compensation for disability, and the minimum limit established by clause (K) of section ten on the monthly pay on which death compensation is to be computed, is hereby removed.

4. That the Governor of The Panama Canal is hereby authorized to pay the compensation provided by said Act, including the medical, surgical, and hospital services and supplies provided by section nine and the transportation and burial expenses provided by sections nine and eleven, out of the appropriations for The Panama Canal, such appropriations to be reimbursed for such payments by transfer of funds from the employees' compensation fund.

WOODROW WILSON.

THE WHITE HOUSE, 15 Sept., 1916.

[No. 2455.]

Authorizing the commutation of leave privileges in certain cases.

By virtue of the authority vested in me, I hereby establish the following Executive Order:

The leave privileges accrued in favor of an employee of The Panama Canal, the Canal Zone, or the Panama Railroad, may be commuted in cash, in conformity with existing rules and regulations, notwithstanding the employee shall not have completed ten months service at the time such commutation is made, in all cases in which such employee is transferred to the Fortification work on the Isthmus of Panama, under the Chief of Engineers of the United States Army; and such employee shall be entitled to receive in cash the amount due him for such accumulated leave, on the basis of one-twelfth of the annual allowance of cumulative and annual leave for each full month served for which leave has not been granted.⁵³⁰

WOODROW WILSON.

THE WHITE HOUSE, 17 October, 1916.

[No. 2475.]

Providing for the payment of interest on Deposit Money Orders issued in the Canal Zone.

By virtue of the authority vested in me by law, it is hereby ordered:

1. That deposit money orders issued by the Canal Zone Postal Service⁵³¹ shall bear interest at the rate of one-half of one percentum for each period of three full calendar months, from August 21, 1916, or subsequent date of issue. Interest shall be payable when the order is paid but shall not accrue on any order for more than three years.

2. The Governor of The Panama Canal is authorized to prescribe such detailed rules and regulations as may be necessary to carry out this order.

WOODROW WILSON.

THE WHITE HOUSE, 22 October, 1916.

[No. 2479.]

Relating to Conditions of Employment in the Panama Canal Service.

By virtue of the authority vested in me by law, the general conditions of employment governing employees on the Isthmus of Panama, necessary for the completion, care, management, maintenance, sanitation, government and operation of the

⁵²⁹ See 668 series of Governor's Circulars on this subject.

⁵³⁰ See Executive Order of Jan. 15, 1917, p. 218, rescinding pars. 22 to 41 of Executive Order of Feb. 2, 1914, p. 158, and substituting new paragraphs in lieu thereof, all relating to conditions of employment.

⁵³¹ Provided by Executive Order of Sept. 5, 1914, p. 199, which order also repealed the existing Postal Savings System.

Panama Canal, the Canal Zone, the Panama Railroad, and other adjuncts, provided by the Executive Order of February 2, 1914,⁵³² are hereby amended by rescinding paragraphs numbered 22 to 41, inclusive, and substituting in lieu of such rescinded paragraphs the following:

ANNUAL LEAVE.

22. Twenty-four days annual leave will be allowed each employee for each year after entry into service, and any annual leave not used prior to the end of the service year in which it is earned shall be thereafter in the same status and subject to the same rules as cumulative leave.

23. The service year shall date from the day on which an employee's pay in the permanent organization begins.

24. Absences of one-half-day or more, when regularly authorized, will be charged against annual leave; also absences on account of illness or injury, upon the certificate of an authorized physician in the service of The Panama Canal, except that in the following classes of cases no payment shall be made for time lost, but the time shall be charged against the annual leave:

(a) Illness due to the fault of the employee, as venereal disease and alcoholism.

(b) Injury due to the employee's willful intention to bring about the injury or death of himself or another.

(c) Elective surgical operations to relieve conditions existing prior to service on the Isthmus.

25. Teachers employed only during the school months, from October to June, inclusive, may be granted not to exceed twenty-four days leave within those months to cover illness or emergency, but will not be entitled to any other leave with pay and will be entitled to no leave with pay from July to September, inclusive.

26. In the cases of hourly and per diem employees annual leave on account of sickness or injury shall be based upon a day of eight hours.

27. Not more than fourteen days annual leave may be taken during the first six months of a service year. In case of illness or injury in the first six months, to cover which no annual leave remains to the employee's credit, the time lost will be charged against the annual leave remaining for the year, and payment will be made after completing ten months of the service year. After the entire twenty-four days annual leave has been used, additional leave in that service year on account of illness or injury will be deducted from the cumulative leave for that year, and when the cumulative leave becomes due the employee will be paid.

28. After exhausting both annual and cumulative leave for the year, additional absence on account of illness or injury will be without pay, except such compensation as may be prescribed by law for employees receiving personal injuries.

CUMULATIVE LEAVE.

29. Thirty days cumulative leave will be allowed each employee paid on a monthly or annual basis for each year of his service, and twenty days to each employee paid on an hourly basis. This leave will be due after completing ten months' service each year and may be taken when the employee's service can be spared. It may be taken annually or left to accumulate to the credit of the employee, provided, however, that the maximum number of days leave with pay of all kinds which may be granted at any one time or which may be commuted into a cash payment at termination of service is 120.

30. After cumulative or annual leave is earned and due it may be taken at such time and in such numbers of days as may be satisfactory to the Governor.

31. Leave taken after the close of the service year in which it was earned shall be paid for at the rate of pay received at the end of the tenth month of the service year in which the leave was earned. When an employee enters on a leave of absence which consists of or includes annual leave earned in the same year in which he enters on the leave, such annual leave shall be paid for at the rate received by the employee when he entered on the leave.

32. In case an employee serves part of a year on the monthly or annual basis and part on the hourly basis, he will be allowed twenty days cumulative leave, except that if he has served eight months or more on the monthly or annual basis during the year he will be granted thirty days cumulative leave.

⁵³² p. 158. See notes thereunder.

TRAVEL LEAVE.

33. Employees who travel to points outside the tropics, when on cumulative leave, will be allowed seven days additional leave (or travel leave) with full pay, provided the total of all leave with pay granted shall not exceed 120 days. Travel leave may be allowed approximately once a year and is not cumulative.

34. Employees will be compensated for travel leave at the rate earned when cumulative leave last became due.

GENERAL PROVISIONS.

35. After accumulating leave of all kinds amounted to 120 days, an employee ceases to earn additional cumulative leave until he is granted all or part of the cumulative leave already earned, unless he shall enter on cumulative leave within two months thereafter, or be ordered by the Governor to defer taking leave for official reasons.

36. When an employee's service is terminated, a cash payment in commutation of leave will be made to him for the number of days cumulative leave due plus the annual leave due. In the event of his death his estate will be paid the sum due.

37. Employees must report from leave within one week after the authorized leave expires or forfeit pay for the leave. In case of unavoidable delay, the Governor will decide whether the circumstances warrant an exception to this rule.

38. No restrictions are placed on the localities where leave may be spent.

39. Any employee transferred from the present force to the permanent operating force will be paid at the time of transfer, in addition to his regular compensation, the amount he would have received in payment for leave had he been separated from the service at the time of transfer.

40. Leave may be taken only at the convenience of heads of departments, who may direct an employee to accumulate his leave if necessary for the conduct of the work.

41. Leave without pay may be granted by the Governor to all employees, including laborers, for such period as may be prescribed by him.

OFFICE HOURS AND HOURS OF LABOR.

42. Office hours and hours of labor will be fixed by the Governor within the limits prescribed by law.⁵³³

This order shall take effect on and after the 31st day of December, 1916, and shall apply to all classes of leave with pay earned and due as of that date and thereafter.⁵³⁴

WOODROW WILSON.

THE WHITE HOUSE, 15 January, 1917.

[No. 2514.]

Order of the President of Feb. 6, 1917, relating to the Exclusion of Undesirable Persons.

By virtue of the authority vested in me by the provisions of the Act of Congress approved August 21, 1916,⁵³⁵ entitled "An Act extending certain privileges of Canal employees to other officials on the Canal Zone, and authorizing the President to make rules and regulations affecting the health, sanitation, quarantine, taxation, public roads, self-propelled vehicles and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders and interest deposits," I do hereby establish the following Executive Order for the Canal Zone:

SEC. 1. The Governor of The Panama Canal is hereby empowered to exclude or to cause to be excluded the following classes of persons from the Canal Zone: Idiots, imbeciles, feeble-minded persons, the insane, persons who have been insane within five years previous to their attempted entry into the Canal Zone, epileptics, paupers, criminals, professional beggars, gypsies, persons of notoriously bad character, persons whose presence would be a menace to the public health or welfare of the Canal Zone, or who would be liable to become a public charge, or who may be suffering from a loathsome or dangerous contagious disease, those who have been convicted of felony,

⁵³³ Pars. 13-15 of Governor's Circular No. 603 relate to this subject.

⁵³⁴ See generally the 602 series of Governor's Circulars.

⁵³⁵ Sec. 10 thereof (T. & A. 128).

anarchists, those whose purpose it is to incite insurrection, and others whose presence, in the judgment of the Governor, would tend to create public disorder or in any manner impede the prosecution of the work of opening the Canal or its maintenance, operation, sanitation, and protection; and the Governor may expel from the Canal Zone, and deport therefrom, any person convicted of a criminal offense of the grade of felony, or whose presence, in the judgment of the Governor, would tend to create public disorder or in any manner impede the prosecution of the work of opening the Canal or its maintenance, operation, sanitation, or protection.⁵³⁶

The cost of excluding or deporting persons hereunder shall be a charge against the person or interest responsible for the entry of the undesirable person into the Canal Zone, the collection thereof to be enforced in the manner hereinafter provided. In cases of deportation in which no person or interest can be held responsible for the cost hereunder, the cost of such deportation shall be paid from the appropriations made for the maintenance, operation, sanitation and protection of the Canal.

SEC. 2. Any person falling within any one of the excluded classes mentioned in the foregoing section, who desires to cross the Canal Zone in order to reach his final destination, may be allowed to effect such transit in the custody of a representative of the Panama Canal authorities, provided the owner, or master of, or person, or interest controlling the vessel, upon which such person arrives at a port in the Canal Zone will agree, in writing, that if such person is rejected at his final destination and returned to the Canal Zone, his deportation therefrom shall be at the expense of the owner or interest controlling the vessel, in which case the cost of the deportation shall be enforced against the owner or interest in the manner prescribed by the law of Congress and the provisions of this Executive Order.

SEC. 3. The owner or interest controlling a vessel bringing a person to the Canal Zone, who is subject to exclusion under this order, shall carry such excluded person to his port of embarkation, when required to do so by the Panama Canal authorities, and, when so required by the Canal authorities, return a certificate to said authorities, from the proper officials of the port of embarkation, stating that said excluded person had been landed at said port.

SEC. 4. No member of a crew of any vessel shall be paid off and discharged at any port of the Canal Zone without the consent of the Panama Canal authorities, unless it be shown by the ship's articles that said member of the crew signed said articles at a port in the Canal Zone.

SEC. 5. It shall be the duty of the owners, officers and agents of any vessel bringing persons excluded hereunder to the Canal Zone to adopt due precaution to prevent the landing of any such persons at any time or place other than that designated by the proper officials of The Panama Canal, and any such owner, officer, agent or person in charge of such vessel, who shall land or permit to land, any such excluded person at any time or place other than that designated by the authorities of The Panama Canal, shall be punished as hereinafter provided.

SEC. 6. The master or person in charge of a vessel bringing any person subject to exclusion hereunder to the Canal Zone shall be required to receive such person on board, when his or her deportation has been ordered, at any time previous to the advertised date of sailing of the said vessel, and if the master is absent at the time the said person is delivered on board, the officer or person in charge of the vessel shall receive such excluded person.

SEC. 7. Any excluded person awaiting deportation, or any person held for the determination of his right of entry into the Canal Zone, may be detained at the Canal Zone police station or other place designated by the detaining officer, when such action is deemed necessary by such officer.

SEC. 8. All expense incident to the detention, maintenance, transportation (including transportation of baggage) of any excluded person, or of any person held for the determination of his right of entry into the Canal Zone, as well as the cost of deportation of such excluded person, shall be charged to the owner of the vessel bringing such excluded person to the Canal Zone, or to the interest controlling such vessel, except where otherwise expressly provided by law.

SEC. 9. Clearances may be withheld from vessels until all expenses authorized by this order against the owner or of interest controlling such vessels have been duly paid to the Panama Canal authorities.

SEC. 10. Quarantine officers are hereby authorized to administer oaths, and for that purpose they shall have the powers of a notary public.

⁵³⁶ See Executive Order of May 9, 1904, p. 20, and notes thereunder, relating to previous legislation on this subject; refer also to Executive Order of Jan. 9, 1908, *in re* mendicants and habitual beggars found within Canal Zone (p. 74); order of Nov. 23, 1909, p. 94, prohibiting recruiting of laborers in the Canal Zone; order of Sept. 25, 1913, p. 151, to punish deported persons who return to the Canal Zone; and order of Feb. 6, 1917, p. 220, relating to exclusion of Chinese.

SEC. 11. The Governor of The Panama Canal is hereby authorized to make rules and regulations to carry out the foregoing provisions of this order, not inconsistent with its terms.⁵³⁷

SEC. 12. The penalty for each violation of any of the foregoing provisions of this order shall be a fine not to exceed \$500.00 or imprisonment not to exceed one year, or both such fine and imprisonment, at the discretion of the court, in conformity with the above-mentioned Act of Congress approved August 21, 1916.

SEC. 13. The quarantine rules and regulations for the Canal Zone and the harbors of the cities of Panama and Colon, Republic of Panama, contained in the President's Executive Order dated April 15, 1913,⁵³⁸ (No. 1761) as amended by the Executive Orders dated August 14, 1914,⁵³⁹ (No. 2020) and January 11, 1915,⁵⁴⁰ (No. 2118), are hereby re-enacted, and shall become effective on and after the date of this Executive Order, and any violation of said quarantine rules and regulations shall be punished by a fine not to exceed \$500.00 or by imprisonment in jail not to exceed ninety days, or by both such fine and imprisonment in the court's discretion, in conformity with the above mentioned Act of Congress of August 21, 1916.

SEC. 14. All laws and orders in conflict with this order are hereby repealed.

SEC. 15. This order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 6 February, 1917.

[No. 2527.]

Relating to the exclusion of Chinese.

By virtue of the authority vested in me by the provisions of the Act of Congress approved August 21, 1916,⁵⁴¹ entitled "An Act extending certain privileges of Canal employees to other officials on the Canal Zone, and authorizing the President to make rules and regulations affecting the health, sanitation, quarantine, taxation, public roads, self-propelled vehicles and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders and interest deposits," I do hereby establish the following Executive Order for the Canal Zone:

SEC. 1. The Executive Order of January 9, 1908,⁵⁴² extending to the Canal Zone Law No. 6 of 1904, of the Republic of Panama, is hereby repealed.

SEC. 2. No Chinese person shall be allowed to enter into or remain in the Canal Zone, except as provided in this order; and any Chinese person found in the Canal Zone in contravention of the provisions of this order shall be punished as hereinafter prescribed.

Any Chinese person who shall come into the Canal Zone, with the intention of passing into the Republic of Panama, in contravention of the laws of the Republic of Panama, shall be deemed guilty of a violation of this section.

SEC. 3. The master of any vessel, who shall knowingly bring into the Canal Zone on such vessel and land, or attempt to land, or permit to be landed, any Chinese person, except as provided for in this order, shall be punished in the manner hereinafter prescribed, for each Chinese person so brought into and landed in the Canal Zone, or attempted or permitted to be landed therein; provided, however, that when a vessel, having Chinese persons on board, comes within the Canal Zone in distress, or under stress of weather, or when a vessel, having Chinese persons on board, touches at a port of the Canal Zone on its voyage to any foreign port or place, such Chinese persons may be permitted to land when authorized by the Governor of The Panama Canal, but they must depart from the Canal Zone with the vessel on its leaving the port.

Every person who aids or abets in the violation of this order shall be deemed equally guilty with the master of the vessel.

SEC. 4. The master of any vessel from a foreign port, with one or more Chinese persons on board, stopping at a port in the Canal Zone, in addition to the other matters required to be reported by him, shall deliver to the customs official of such Canal port, when he delivers his manifest of cargo, or if there be no cargo when he makes

⁵³⁷ See the 714 series of Governor's Circulars on this subject, as well as *in re* exclusion of Chinese. Also the 626 series relating to quarantine.

⁵³⁸ p. 143. That order, with amendments, repealed by order of Mar. 31, 1920, p. 268.

⁵³⁹ p. 197.

⁵⁴⁰ p. 206.

⁵⁴¹ T. & A. 130-132.

⁵⁴² p. 75.

legal entry of his vessel, a descriptive list of all Chinese persons on board of his vessel at the time of its arrival in the Canal Zone. Such list shall contain the names of such Chinese persons, and other particulars regarding them, shown by the ship's papers, and shall be sworn to and subscribed by the master before the customs official to whom the list is delivered; and the customs official is hereby authorized to administer the oath to the master, provided, that when a vessel passes through the Canal, without discharging or taking on cargo or passengers therein, the master of such vessel shall not be required to furnish the list of persons prescribed by this section. If the master of the vessel refuses to deliver the list as required by this section, or fails or refuses to take and subscribe the oath prescribed herein; or if the master of such vessel permits any Chinese person on board the ship to land in the Canal Zone except by authority of the Governor of The Panama Canal, he shall be deemed guilty of a violation of this section.

SEC. 5. Chinese persons, arriving from foreign ports, who desire to enter the Canal Zone in transit to other countries, may be permitted to do so upon such conditions as the Governor of The Panama Canal may prescribe by general or special authorization.

Should the destination of such transients be a place in the Republic of Panama, they shall not be permitted to land in the Canal Zone unless the consent of the authorities of Panama is obtained for their entry into the Republic.

SEC. 6. No Chinese member of the crew of any vessel shall be paid off and discharged within a port of the Canal Zone, without the consent of the Panama Canal authorities, unless it be shown by the ship's articles that said Chinese member of the crew signed said articles at a port in the Canal Zone; and seamen or other members of a ship's crew of the Chinese race, when discharged at any port in the Canal Zone under authority of the Governor, may land and remain temporarily therein until a re-shipment is obtained by them, provided a bond in the sum of \$500.00 in each case, is executed by such Chinese person, satisfactory to the shipping commissioner, and payable to the Governor of The Panama Canal, and his successors in office, and conditioned that the principal in the bond, in good faith, will obtain a re-shipment and leave the Canal Zone at the earliest date practicable, to be fixed by the shipping commissioner; and said bond may be forfeited, for the full amount thereof, in favor of The Panama Canal, by judgment in the district court of the Canal Zone, should the principal in said bond fail to comply with any of the conditions thereof.

SEC. 7. This order shall not apply to diplomatic and consular agents of the Chinese government, who shall be entitled to be admitted into the Canal Zone upon proof of their official character; neither shall it apply to Chinese persons lawfully residing in the Canal Zone, at the time of the promulgation of this order, but this shall not prevent their removal from the Canal Zone in accordance with the depopulation or deportation laws; neither shall this order apply to a Chinese person who is lawfully residing in the Republic of Panama at the time of the promulgation of this order, and such person shall be authorized to enter into and cross the Canal Zone in a like manner as is permitted to the residents of the Republic of Panama; neither shall this order apply to Chinese persons whose services have been contracted for by the United States, The Panama Canal, or Panama Railroad Company, or any of the auxiliaries of the Canal or the Railroad Company; nor to domestic servants and others employed by persons engaged in the service of the Army or Navy of the United States, stationed in the Canal Zone, when such employment is with the sanction of the respective commanding officers of such forces on the Isthmus; nor shall it apply to any Chinese person coming into the Canal Zone by authority of the Governor of The Panama Canal.

SEC. 8. The Governor of The Panama Canal is hereby authorized to establish rules and regulations to more effectively carry out this order.⁵⁴³

SEC. 9. A violation of any of the provisions of this order shall be punished by a fine not to exceed \$500.00 or imprisonment not to exceed one year, or both such fine and imprisonment, at the discretion of the court, in conformity with the above mentioned Act of Congress approved August 21, 1916.

SEC. 10. This order shall take effect sixty (60) days from and after its publication in the Panama Canal Record.⁵⁴⁴

WOODROW WILSON.

THE WHITE HOUSE, 6 February, 1917.

[No. 2526.]

⁵⁴³ See Governor's Circular No. 714-1, relating to exclusion of Chinese, and Executive Order of Feb. 6, 1917, p. 220, relating to exclusion of undesirable persons.

⁵⁴⁴ Published in *The Panama Canal Record*, Feb. 28, 1917.

Fixing the compensation of Joint Commission Umpire.

By direction of the President it is ordered that Señor Don Manuel Walls y Merino, who has been appointed umpire in virtue of the provisions of Articles VI and XV of the Treaty of November 18, 1903, between the United States and the Republic of Panama in the settlement of certain claims which have come before the Joint Commission provided for in those articles, and in which the Commission has failed to render a decision owing to disagreement, be allowed Ten Thousand Dollars (\$10,000), per annum for his services, effective the day he sails from New York, N. Y., for the Isthmus of Panama and terminating upon the day of his return to New York, N. Y. In addition, he shall be allowed his actual and necessary traveling expenses from Washington, D. C., to the Isthmus of Panama and return to Washington; provided that should he elect not to return to Washington, D. C., he shall be paid his salary for a period equal to that for which he would have been paid, and he shall be paid in addition a sum equal to that which he would have expended for steamship, railroad and Pullman transportation had he returned to Washington, D. C., by direct route. He shall be allowed free transportation of his personal effects and household goods on the Panama Railroad and on the steamers of the Panama Railroad Steamship Line; he shall be allowed free transportation over the Panama Railroad, and such other transportation as may be necessary when traveling on official business on the Isthmus including employees' rates at the hotels of The Panama Canal or the Panama Railroad Company on the Isthmus.

NEWTON D. BAKER,
Secretary of War.

WAR DEPARTMENT, *Washington, D. C., March 20, 1917.*

Control of Canal and Canal Zone during hostilities.

By virtue of the power and authority vested in and conferred upon me by Section 13 of the Panama Canal Act approved August 24, 1912⁵⁴⁵ (37 Statutes at Large, 560, 569), it is hereby ordered that the Officer of the Army commanding the United States Troops stationed in the Canal Zone and his successors in command shall, from the date hereof and during the continuance of the present war between the United States and Germany or until otherwise ordered,⁵⁴⁶ assume and have exclusive authority and jurisdiction over the operation of the Panama Canal and all its adjuncts, appendants, and appurtenances, including the entire control and government of the Canal Zone, and, while this order is in force, the Governor of the Panama Canal shall, in all respects and particulars as to the operation of the Panama Canal, and all duties, matters and transactions affecting the Canal Zone, be subject to the orders and direction of the Officer of the Army hereby designated.

WOODROW WILSON.

THE WHITE HOUSE, *April 9, 1917.*

[Rules and regulations for the regulation, management, and protection of the Panama Canal and the maintenance of its neutrality.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the United States exercises sovereignty in the land and waters of the Canal Zone and is responsible for the construction, operation, maintenance, and protection of the Panama Canal:

Now, therefore, I, Woodrow Wilson, President of the United States of America, do hereby declare and proclaim the following Rules and Regulations for the regulation, management and protection of the Panama Canal and the Maintenance of its Neutrality which are in addition to the general "Rules and Regulations for the Operation and Navigation of the Panama Canal and Approaches Thereto, including all Waters under its jurisdiction" put into force by Executive Order of July 9, 1914.⁵⁴⁷

⁵⁴⁵ T. & A. 79. See also Executive Order of May 17, 1916, p. 214, relating to assistance to be furnished the Governor by military and naval forces in time of peace.

⁵⁴⁶ This order declared terminated and no longer in force by the Executive Order of Jan. 25, 1919, p. 251.

⁵⁴⁷ p. 178. See also Proclamation of Nov. 13, 1914, p. 203, *in re* use of the Panama Canal by vessels of belligerents and maintenance of neutrality of the United States in the Canal Zone.

Rule 1. A vessel of war, for the purposes of these rules, is defined as a public armed vessel, under the command of an officer duly commissioned by the government, whose name appears on the list of officers of the military fleet, and the crew of which are under regular naval discipline, which vessel is qualified by its armament and the character of its personnel to take offensive action against the public or private ships of the enemy.

Rule 2. An auxiliary vessel, for the purposes of these rules, is defined as any vessel, belligerent or neutral, armed or unarmed, which does not fall under the definition of Rule 1, which is employed as a transport or fleet auxiliary or in any other way for the direct purpose of prosecuting or aiding hostilities, whether by land or sea; but a vessel fitted up and used exclusively as a hospital ship is excepted.

Rule 3. A vessel of war or an auxiliary vessel of a belligerent, other than the United States, shall only be permitted to pass through the Canal after her commanding officer has given written assurance to the Authorities of the Panama Canal that the Rules and Regulations will be faithfully observed.

The authorities of the Panama Canal shall take such steps as may be requisite to insure the observance of the Rules and Regulations by auxiliary vessels which are not commanded by an officer of the military fleet.

Rule 4. Vessels of war or auxiliary vessels of a belligerent, other than the United States, shall not revictual nor take any stores in the Canal except so far as may be strictly necessary; and the transit of such vessels through the Canal shall be effected with the least possible delay in accordance with the Canal Regulations in force, and with only such intermission as may result from the necessities of the service.

Prizes shall be in all respects subject to the same Rules as vessels of war of a belligerent.

Rule 5. No vessel of war or auxiliary vessel of a belligerent, other than the United States, shall receive fuel or lubricants while within the territorial waters of the Canal Zone, except on the written authorization of the Canal Authorities, specifying the amount of fuel and lubricants which may be received.

Rule 6. Before issuing any authorization for the receipt of fuel and lubricants by any vessel of war or auxiliary vessels of a belligerent, other than the United States, the Canal Authorities shall obtain a written declaration, duly signed by the officer commanding such vessel, stating the amount of fuel and lubricants already on board.

Rule 7. Fuel and lubricants may be taken on board vessels of war or auxiliary vessels of a belligerent, other than the United States, only upon permission of the Canal Authorities, and then only in such amounts as will enable them, with the fuel and lubricants already on board, to reach the nearest accessible port, not an enemy port, at which they can obtain supplies necessary for the continuation of the voyage. Provisions furnished by contractors may be supplied only upon permission of the Canal Authorities, and then only in amount sufficient to bring up their supplies to the peace standard.

Rule 8. No belligerent, other than the United States, shall embark or disembark troops, munitions of war, or warlike materials in the Canal, except in case of necessity due to accidental hindrance of the transit. In such cases the Canal Authorities shall be the judge of the necessity, and the transit shall be resumed with all possible dispatch.

Rule 9. Vessels of war or auxiliary vessels of a belligerent, other than the United States, shall not remain in the territorial waters of the Canal Zone under the jurisdiction of the United States longer than twenty-four hours at any one time, except in case of distress; and in such case, shall depart as soon as possible.

Rule 10. In the exercise of the exclusive right of the United States to provide for the regulation and management of the Canal, and in order to ensure that the Canal shall be kept free and open on terms of entire equality to vessels of commerce and of war, there shall not be, except by special arrangement, at any one time a greater number of vessels of war of any one nation, other than the United States, including those of the allies of such nation, than three in either terminal port and its adjacent terminal waters, or than three in transit through the Canal; nor shall the total number of such vessels, at any one time, exceed six in all the territorial waters of the Canal Zone under the jurisdiction of the United States.

Rule 11. The repair facilities and docks belonging to the United States and administered by the Canal Authorities shall not be used by a vessel of war or an auxiliary vessel of a belligerent, other than the United States, except when necessary in case of actual distress, and then only upon the order of the Canal Authorities, and only to the degree necessary to render the vessel seaworthy. Any work authorized shall be done with the least possible delay.

Rule 12. The radio installation of any public or private vessel or of any auxiliary vessel of a belligerent, other than the United States, shall be used only in connection with Canal business to the exclusion of all other business while within the waters of the Canal Zone, including the waters of Colon and Panama Harbors.

Rule 13. Aircraft, public or private, of a belligerent, other than the United States, are forbidden to descend or arise within the jurisdiction of the United States at the Canal Zone, or to pass through the air spaces above the lands and waters within said jurisdiction.⁵⁴⁸

Rule 14. For the purpose of these rules the Canal Zone includes the cities of Panama and Colon and the harbors adjacent to the said cities.

Rule 15. In the interest of the protection of the Canal while the United States is a belligerent no vessel of war, auxiliary vessel, or private vessel of an enemy of the United States or an ally of such enemy shall be allowed to use the Panama Canal nor the territorial waters of the Canal Zone for any purpose, save with the consent of the Canal Authorities and subject to such rules and regulations as they may prescribe.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-third day of May in the year of our Lord one thousand nine hundred and seventeen, and of the Independence of the United States of America the one hundred and forty-first.

[SEAL]

WOODROW WILSON.

By the President:

ROBERT LANSING,
Secretary of State.

[No. 1371.]

Acquisition of Vessels of Hostile Nations.

Whereas the following Joint Resolution adopted by Congress was approved by the President May 12, 1917:⁵⁴⁹

"Joint Resolution Authorizing the President to take over for the United States the possession and title of any vessel within its jurisdiction, which at the time of coming therein was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war, or was under register of any such nation, and for other purposes.

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President be, and he is hereby, authorized to take over to the United States the immediate possession and title of any vessel within the jurisdiction thereof, including the Canal Zone and all territories and insular possessions of the United States except the American Virgin Islands, which at the time of coming into such jurisdiction was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war when such vessel shall be taken, or was flying the flag of or was under register of any such nation or any political subdivision or municipality thereof; and, through the United States Shipping Board, or any department or agency of the Government, to operate, lease, charter, and equip such vessel in any service of the United States, or in any commerce, foreign or coastwise.

"Sec. 2. That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint, subject to the approval of the President, a board of survey, whose duty it shall be to ascertain the actual value of the vessel, its equipment, appurtenances, and all property contained therein, at the time of its taking, and to make a written report of their findings to the Secretary of the Navy, who shall preserve such report with the records of his department. These findings shall be considered as competent evidence in all proceedings on any claim for compensation."

And whereas the following vessels were, at the time of coming into the jurisdiction of the United States owned in whole or in part by a corporation, citizen or subject of

⁵⁴⁸ See Proclamation of Feb. 28, 1918, p. 237, prescribing license regulations for private aircraft. That Proclamation repealed by Proclamation of July 31, 1919, p. 254.

⁵⁴⁹ T. & A. 154.

the Empire of Germany, a nation with which the United States is now at war, or were flying the flag of or under the register of the Empire of Germany, or of a political subdivision or municipality thereof:

Vaterland	Lyeemoon
Amerika	Pongtong
Kaiser Wilhelm II	Sachsen
President Grant	Suevia
Pennsylvania	Steinbeck
Bulgaria	Elsass
Prinzess Irene	Indra
Hamburg	Arnoldus Vinnen
Neckar	Ottawa
Bohemia	Grunewald
Rhaetia	Sachsenwald
Wittekind	Staatssekretar Solf
Armenia	Aroa (Lighter)
Adamsturm	George Washington
Willehad	Kronprinzessin Cecile
Serapis	President Lincoln
Allemannia	Cincinnati
Nassovia	Grosser Kurfurst
Maia	Barbarossa
Neptun	Friedrich der Grosse
O. J. D. Ahlers	Rhein
Prinz Waldemar	Konig Wilhelm II
Loongmoon	Koln
Gouverneur Jaeschke	Prinz Oskar
Darvel	Ockenfels
Princess Alice	Arcadia
Wiegand	Pisa
Bochum	Prinz Joachim
Carl Diederichsen	Harburg
Coblenz	Portonia
Esslingen	Clara Mennig
Pommern	Rajah
Setos	Sambia
Holsatia	Tubingen
Staatssekretar Kraetke	Dalbek
Borneo	Magdeburg
Marudu	Matador
Tsintau	Kurt
Andalusia	Andromeda
Camilla Rickmers	Prinz Sigismund
Clara Jeben	Savoia
Elmshorn	Arni (Lighter)
Johanne	Argus (Lighter)
Mark	

It is therefore ordered that through the United States Shipping Board there be taken over to the United States the possession and title of the aforementioned vessels.⁵⁵⁰ The United States Shipping Board is further hereby authorized to repair, equip and man the said vessels; to operate, lease or charter the same in any service of the United States, or in any commerce, foreign or coastwise; and to do and perform any and all things that may be necessary to accomplish the purposes of the Joint Resolution above set forth.

WOODROW WILSON.

THE WHITE HOUSE, June 30, 1917.

Establishing Defensive Sea Areas for Terminal Ports of The Panama Canal, and Providing Regulations for the Government of Persons and Vessels within said Areas.

By virtue of the authority vested in me by law,⁵⁵¹ the following-described defensive sea areas for the terminal ports of The Panama Canal are hereby established,

⁵⁵⁰ See Executive Order of Nov. 24, 1919, p. 255, formally taking over the possession and title of the United States in all such vessels.

⁵⁵¹ Act of Mar. 4, 1917 (T. & A. 153), as amended by act of May 22, 1917 (T. & A. 155). See Governor's Circulars Nos. 643-36, 643-37, and 643-54. Above order revoked by Executive Order of Jan. 25, 1919, p. 252.

to be maintained until further notification, at the places and within the limits prescribed as follows, that is to say:

Atlantic entrance.—Outer limit: From the northern end of Naranjos Cays to a point 2 miles due north of the breakwater entrance, thence tangent to the arc of a circle with 1-mile radius, having the mouth of the Chagres River as a center, thence along the arc of this circle to the beach.

Inner limit: Line joining east end of west breakwater and west end of east breakwater.

Pacific entrance.—Outer limit: Line joining Venado Island with north end of Taboguilla Island; thence north 53° east, true, for 5 miles; thence north 39° west to a point with San Jose Rock bearing north 55° $53'$ west, true, distant 2 nautical miles; thence to Tres Hermanos Beacon; thence to Punta Mala.

Inner limit: Line joining Guinea Point with inner end of causeway.

The following orders and regulations for the government of persons and vessels within the limits of said defensive sea areas, which orders and regulations are necessary for the purposes of defense of the Canal Zone, are hereby promulgated:

I. In the neighborhood of each defensive sea area the following entrances are designated for incoming and outgoing vessels.

Atlantic.—Designated entrance for incoming vessels: A patrol boat stationed with end of west breakwater bearing south, true, distant 2 nautical miles.

Designated entrance for outgoing vessels: The main entrance to the Panama Canal, between the breakwaters.

Pacific.—Designated entrance for incoming vessels: Patrol boat stationed with north end of Taboguilla Island bearing due west, distant 1 nautical mile.

Designated entrance for outgoing vessels: Canal prism.

II. A vessel desiring to cross a defensive sea area shall proceed to the vicinity of the entrance, flying her national colors, together with International Code number and pilot signal, and there await communication with the Harbor Entrance Patrol. It is expressly prohibited for any vessel to enter the limits of a defensive sea area otherwise than at a designated entrance and after authorization by the Harbor Entrance Patrol.

III. Boats and other craft employed in the Harbor Entrance Patrol will be distinguished by the union jack, which will be shown from a position forward. At night they may show a vertical hoist of 3 lights—white, red, and white, in the order named.

IV. On receiving permission from the Harbor Entrance Patrol to enter a defensive sea area, a vessel must comply with all instructions as to pilotage and other matters that she may receive from proper authority, either before or during her passage across the area; it is understood that only upon condition of such compliance is the said permission granted.

V. No permission will be granted to other than a public vessel of the United States or a Canal craft to cross a defensive sea area between sunset and sunrise, nor during the prevalence of weather conditions that render navigation difficult or dangerous. A vessel arriving off a defensive sea area after sunset shall anchor or lie-to at a distance of at least a mile outside its limits until the following sunrise; vessels discovered near the limits of the areas at night may be fired upon.

VI. No vessel shall be permitted to proceed within the limits of a defensive sea area at a greater speed than six (6) knots per hour.

VII. All matters pertaining to fishery and the passage of small crafts within a defensive sea area shall be regulated by the senior officer of the Harbor Entrance Patrol.

VIII. These regulations are subject to modification by the senior officer of the Harbor Entrance Patrol when the public interest may require; and such notification as circumstances may permit will be issued regarding modifications thus made.

IX. Any master of a vessel or other person within the vicinity of a defensive sea area who shall violate these regulations, or shall fail to obey the order to stop and heave to, or shall perform any act threatening the efficiency of mine or other defenses or the safety of navigation, or shall take any action inimical to the interests of the United States in its prosecution of war, may be detained therein by force of arms and renders himself liable to prosecution.

X. The responsibility of the United States of America for any damage inflicted by force of arms with the object of detaining any person or vessel proceeding in con-

⁵⁵² "North" corrected to read "south" by Executive Order of Oct. 24, 1917, p. 229.

travention to regulations duly promulgated in accordance with this executive order shall cease from this date.

XI. This order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 27 August, 1917.

[No. 2692.]

Order of the Secretary of War of Sept. 14, 1917, relating to compensation of members of Joint Land Commission.

By direction of the President, it is ordered—

That Burt New and George A. Connolly, who have been appointed members of the Joint Commission for the appraisalment and settlement of damages to property in the Canal Zone, in accordance with the provisions of Articles Six and Fifteen of the Convention between the United States and Panama, concluded November 18, 1903, be allowed Twenty-five (\$25) dollars per day for their services, including all expenses, from the time of their sailing from New York until their return thither; provided, that they shall be granted free transportation on the Panama Railroad Steamship Line from New York to the Isthmus and return, free transportation over the Panama Railroad, and such other transportation as may be necessary when traveling on official business on the Isthmus; they shall also be allowed the ordinary privileges of Government employees on the Isthmus, including employees' rates at the hotels of the Panama Canal or the Panama Railroad Company on the Isthmus.

NEWTON D. BAKER,
Secretary of War.

WAR DEPARTMENT, Washington, D. C., September 14, 1917.

Correction of Executive Order number 2692, dated Aug. 27, 1917, entitled "Establishing Defensive Sea Areas for Terminal Ports of The Panama Canal, and Providing Regulations for the Government of Persons and Vessels within said Areas."

In order to correct a typographical error in the Executive Order dated August 27, 1917,⁵⁵³ entitled "Establishing Defensive Sea Areas for Terminal Ports of The Panama Canal, and Providing Regulations for the Government of Persons and Vessels Within Said Areas," it is hereby directed that the word "south" be substituted for the word "north" following the words "thence north 39° west to a point with San José Rock bearing" in the description of the outer limit of the Pacific entrance of the defensive sea areas of the terminal ports of The Panama Canal. As corrected, the description will read as follows:

"PACIFIC ENTRANCE:

"OUTER LIMIT.—Line joining Venado Island with north end of Taboguilla Island; thence north 53° east, true, for 5 miles; thence north 39° west to a point with San José Rock bearing south 53° west, true, distant 2 nautical miles; thence to Tres Hermanos Beacon; thence to Punta Mala."

WOODROW WILSON

THE WHITE HOUSE,
24 October, 1917.

[No. 2737.]

Order of the Secretary of War of Nov. 8, 1917, relating to Compensation of Members of Joint Land Commission.

By direction of the President, it is ordered:

That the Executive Order dated September 14, 1917, fixing the compensation of Burt New and George A. Connolly, members of the Joint Commission for the appraisalment and settlement of damages to property in the Canal Zone, is hereby amended so as to permit the payment to Messrs. New and Connolly of their salaries of Twenty-five Dollars (\$25) per day, including all expenses, effective November 8,

⁵⁵³ p. 438. See Executive Order of Jan. 25, 1919, p. 251, revoking all Executive Orders issued for the establishment of defensive sea areas.

1917, regardless of the date of their sailing from New York. This Order is issued in view of the fact that, in accordance with my instructions, Messrs. New and Connolly have to-day reported in Washington for duty in connection with their services as members of the Joint Commission.

NEWTON D. BAKER,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., November 8, 1917.

Regulations Prescribing Conduct of Alien Enemies.

PROCLAMATION.

WHEREAS the Congress of the United States in the exercise of the constitutional authority vested in them have resolved, by joint resolution of the Senate and House of Representatives bearing date of April 6th, 1917, "That the state of war between the United States and the Imperial German Government which has been thrust upon the United States is hereby formally declared";

WHEREAS it is provided by Section four thousand and sixty-seven of the Revised Statutes, as follows;

Whenever there is declared a war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted or threatened against the territory of the United States, by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being males of the age of fourteen years and upwards, who shall be within the United States, and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed, as alien enemies. The President is authorized, in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject, and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety;

WHEREAS, by Section four thousand and sixty-eight, four thousand and sixty-nine, and four thousand and seventy, of the Revised Statutes, further provision is made relative to alien enemies;

AND WHEREAS, by a proclamation dated April 6th, 1917, I declared and established certain regulations prescribing the conduct of alien enemies;

NOW, THEREFORE, I, WOODROW WILSON, President of the United States of America, pursuant to the authority vested in me, hereby declare and establish the following regulations, additional and supplemental to those declared and established by said proclamation of April 6th, 1917, which additional and supplemental regulations I find necessary in the premises and for the public safety:

13. An alien enemy shall not approach or be found within one hundred yards of any canal; nor within one hundred yards of any wharf, pier or dock used directly by or by means of lighters by any vessel or vessels of over five hundred (500) tons gross engaged in foreign or domestic trade other than fishing; nor within one hundred yards of any warehouse, shed, elevator, railroad terminal or other terminal, storage or transfer facilities adjacent to or operated in connection with any such wharf, pier or dock; and wherever the distance between any two of such wharves, piers or docks, measured along the shore line connecting them, is less than eight hundred and eighty yards, an alien enemy shall not approach or be found within one hundred yards of such shore line.

14. Whenever the Attorney General of the United States deems it to be necessary, for the public safety and the protection of transportation, to exclude alien enemies from the vicinity of any warehouse, elevator or railroad depot, yard or terminal which is not located within any prohibited area designated by this proclamation or the proclamation of April 6th, 1917, then an alien enemy shall not approach or be found within such distance of any such warehouse, elevator, depot, yard or terminal as may be specified by the Attorney General by regulation duly made and declared by him; and the Attorney General is hereby au-

thorized to fix, by regulations to be made and declared from time to time, the area surrounding any such warehouse, elevator, depot, yard or terminal from which he deems it necessary, for the public safety and the protection of transportation to exclude alien enemies.

15. An alien enemy shall not, except on public ferries, be found on any ocean, bay, river or other waters within three miles of the shore line of the United States or its territorial possessions; said shore line for the purpose of this proclamation being hereby defined as the line of sea coast and the shores of all waters of the United States and its territorial possessions connected with the high seas and navigable by ocean going vessels; nor on any of the Great Lakes, their connecting waters or harbors, within the boundaries of the United States.

16. No alien enemy shall ascend into the air in any airplane, balloon, airship, or flying machine.

17. An alien enemy shall not enter or be found within the District of Columbia.

18. An alien enemy shall not enter or be found within the Panama Canal Zone.

19. All alien enemies are hereby required to register at such times and places and in such manner as may be fixed by the Attorney General of the United States and the Attorney General is hereby authorized and directed to provide, as speedily as may be practicable, for registration of all alien enemies and for the issuance of registration cards to alien enemies and to make and declare such rules and regulations as he may deem necessary for effecting such registration; and all alien enemies and all other persons are hereby required to comply with such rules and regulations; and the Attorney General in carrying out such registration, is hereby authorized to utilize such agents, agencies, officers and departments of the United States and of the several states, territories, dependencies and municipalities thereof and of the District of Columbia as he may select for the purpose, and all such agents, agencies, officers and departments are hereby granted full authority for all acts done by them in the execution of this regulation when acting by the direction of the Attorney General. After the date fixed by the Attorney General for such registration, an alien enemy shall not be found within the limits of the United States, its territories or possessions, without having his registration card on his person.

20. An alien enemy shall not change his place of abode or occupation or otherwise travel or move from place to place without full compliance with any such regulations as the Attorney General of the United States may, from time to time make and declare; and the Attorney General is hereby authorized to make and declare, from time to time, such regulations concerning the movements of alien enemies as he may deem necessary in the premises and for the public safety, and to provide in such regulations for monthly, weekly, or other periodical report by alien enemies to federal, state or local authorities; and all alien enemies shall report at the times and places and to the authorities specified in such regulations.

This proclamation and the regulations herein contained shall extend and apply to all lands and water, continental or insular, in any way within the jurisdiction of the United States.⁵⁵⁴

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia, this sixteenth day of November, in the year of our Lord one thousand nine hundred and seventeen, and of the independence of the United States the one hundred and forty-second.

WOODROW WILSON.

By the President:

FRANK L. POLK,

Acting Secretary of State.

November 16, 1917.

[No. 1408.]

Order of the President of Nov. 10, 1917, amending Civil Service Rules Governing Transfers.

Clause (a), paragraph 8 of Civil Service Rule X, relating to an employee proposed for transfer, is hereby amended to read as follows:

(a) He must have served for a term of three years in an executive department or independent establishment at Washington, as required by law, before trans-

⁵⁵⁴ Regulations Nos. 13 to 20, herein rescinded as of Dec. 25, 1918, by Proclamation of Dec. 23, 1918, p. 250. See act of Congress of May 10, 1920 (T. & A. 223), relative to deportation of interned aliens.

fer to another such department or establishment. The same restriction shall apply to all other transfers, but may be waived upon a statement of reasons satisfying the Commission that a transfer is necessary in the interest of the service. In any case he must have received absolute appointment and have actually served at least six months next preceding the transfer; but the Commission may waive this latter requirement in cases of transfer from the Isthmus of Panama or where the person has been separated within a year from a competitive position after six months' service therein, upon the certificate of the proper officer that the separation was caused by necessary reduction of force and not by inefficiency, and may allow transfer to any other department or office upon his passing an examination prescribed by the Commission testing his efficiency for the position to which his transfer is proposed, subject to the other provisions of this rule.

WOODROW WILSON.

THE WHITE HOUSE, 10 November, 1917.

[No. 2753.]

Regulations Establishing Maximum Rates of Fare and Governing Transportation of Passengers for Hire in the Canal Zone.⁵⁵⁵

By virtue of the authority vested in the President by the Act of Congress approved August 21, 1916, and mutual agreement having been heretofore made with the Republic of Panama touching the reciprocal use of the highways of the Canal Zone and the Republic of Panama, as by said Act authorized, the following regulations establishing maximum rates of fare and governing the transportation of passengers for hire by horsedrawn and self-propelled vehicles over the highways of the Canal Zone, and between points in said Canal Zone and the cities of Panama and Colon, in the Republic of Panama, are hereby established.

SECTION 1. Charges over the scheduled routes herein set forth shall be based on the fare in United States currency for one adult passenger as set forth in Schedules A and B, hereto attached and made a part hereof, wherein the fare, except as otherwise therein stated, between any point named in the column at the left to any point named in the column at the top is the amount appearing at the point where the lateral column of figures extending to the right from a point named in the column at the left meets the perpendicular column of figures extending downward from a point named in the column at the top. Between points not scheduled in said columns the fare shall be the same as that between the first scheduled point beyond that at which the passage begins and the next scheduled point beyond that at which the passage ends. This schedule shall apply to all persons except infants in arms, who shall be carried free, and except children under twelve years of age accompanied by an adult, whose fare shall be one-half of the scheduled rate.

SEC. 2. Vehicles regularly operating on the scheduled routes aforesaid shall, on request in advance by a passenger, operate on an hourly basis as follows: Self-propelled vehicles, \$2.00 for the first hour or fraction thereof, and thereafter 50 cents for each quarter hour or fraction thereof; horsedrawn vehicles, \$1.00 for the first hour or fraction thereof for one passenger and 25 cents additional for each additional person, and thereafter one-fourth the initial rate for each quarter hour or fraction thereof.

SEC. 3. Between the hours of 11.00 o'clock P. M. and 6.30 o'clock A. M. the rates set out in Schedules A and B and the hourly rates above established for self-propelled vehicles may be increased 50 per cent, and the hourly rates for horsedrawn vehicles may be increased 25 cents per hour.

SEC. 4. In all cases where the computation of fare results in a fraction of 5 cents a full 5 cents in lieu of such fraction may be collected.

SEC. 5. Automobiles may be maintained for "Special Service."⁵⁵⁶ Such automobiles shall not be required to carry passengers except on an hourly basis or by special agreement, at the election of the passenger. For such vehicles the hourly rate shall be: For the first hour or fraction thereof for one or two passengers, \$4.00; for three to five passengers, \$5.00; for six or more passengers, \$6.00; and for each quarter hour thereafter in all cases, \$1.00.

⁵⁵⁵ This order (which superseded ordinance of the Commission of Aug. 25, 1910 (L. C. Z. 274) was repealed by order of Feb. 26, 1921, p. 277.

⁵⁵⁶ Secs. 5 and 8 modified by order of May 29, 1919, p. 251, providing that such special rates should only apply when cars were ordered from garage for special service.

SEC. 6. For the use of any vehicles a special fare may be agreed upon which shall take the place of the rates herein fixed, but if in any such case a dispute shall arise the regular rate herein established shall govern unless the existence and terms of such special agreement be clearly shown. No charge shall in any case be made which is based upon the time of a delay not due to the fault of a passenger.

SEC. 7. A reasonable rate of speed shall be maintained at all times by all vehicles.

SEC. 8. "Special Service" automobiles, when on public stands, shall display in English and Spanish the sign "Special Service" on the windshield, which sign shall be removed as soon as the car is engaged. All other vehicles for hire, when not engaged, shall display in English and Spanish on the windshield or other prominent place the sign "For Hire," which sign shall be removed as soon as the vehicle is engaged; and such vehicle, when proceeding under orders to a designated point to take passengers, shall likewise display in English and Spanish the sign "Engaged."

SEC. 9. A vehicle not engaged may not refuse to stop for a passenger who signals it plainly.⁵⁵⁷

SEC. 10. A copy of these regulations must be carried in every vehicle operating for hire and must be shown to passengers upon request. Upon application by the owners or licensees of such vehicle The Panama Canal will furnish copies for this purpose.

SEC. 11. Any person violating any provision of these regulations shall be punished as provided in Section 5 of the Act of Congress approved August 21, 1916, entitled "An Act extending certain privileges of Canal employees," etc.

SEC. 12. These regulations shall take effect on the first day of the month following their publication in *The Panama Canal Record*.⁵⁵⁸

NEWTON D. BAKER,
Secretary of War.

January 12, 1918.

By the President.

⁵⁵⁷ See sec. 246 of Penal Code (L. C. Z. 131), making it a misdemeanor for common carriers to refuse to receive or carry any passenger.

⁵⁵⁸ Published in *The Panama Canal Record* of Feb. 13, 1918, and Feb. 20, 1918.

Regulations establishing maximum rates of fare and governing transportation of passengers for hire in the Canal Zone.

SCHEDULE A.—SOUTHERN DISTRICT.

	Balboa Heights.				Balboa.							Ancon.				Interior points.						Panama.									
	Administration Building.	Quarry Heights.	Governor's Residence and Nurses' Quarters.	Railroad Station.	District Quartermaster.	Clubhouse, Restaurant, Commissary.	Shops and Dock 18.	Yacht Club, Quarantine Station, Fort Amador Gate.	Fort Amador (Inside).	Coaling Station, Old Panama Railroad Wharf, La Boca.	Zone Boundary Line.	Tivoli, Com'y, Restaurant, Laundry, Hosp. Admit. Off., Zone B'dary line.	Corral.	Hospital, Superintendent's Office, Wards.	Administration Building, Ancon.	Diablo. (a)	Corozal (a)	Miraflores. (a)	Pedro Miguel. (a)	Paraiso. (a)	Summit. (a)	Gamboa. (a)	City, South of Calidonia Bridge.	Soldiers' Club.	Bella Vista.	Las Sabanas Police Station.	Rio Abajo.	Old Panama.	Juan Diaz.		
<i>Balboa Heights.</i>																															
1. Administration Building.....	\$0.15	\$0.15	\$0.15	\$0.10	\$0.10	\$0.10	\$0.10	\$0.20	\$0.25	\$0.20	\$0.20	\$0.20	\$0.20	\$0.25	\$0.25	\$0.60	\$0.80	\$1.60	\$2.25	\$2.50	\$3.00	\$5.00	\$0.25	\$0.30	\$0.35	\$0.35	\$0.40	\$0.90	\$1.35	\$1.75	\$2.50
2. Quarry Heights.....	\$0.15	\$0.15	\$0.15	\$0.10	\$0.10	\$0.10	\$0.10	\$0.25	.30	.25	.25	.25	.20	.20	.20	.70	.90	1.60	2.25	2.50	3.00	5.00	.30	.35	.35	.40	.90	1.40	1.75	2.50	
3. Governor's Residence and Nurses' Old Quarters.....	.15	.10	.20	.20	.10	.20	.20	.25	.30	.25	.25	.25	.20	.20	.20	.70	.90	1.60	2.25	2.50	3.00	5.00	.30	.35	.35	.40	.90	1.40	1.75	2.50	
4. Railroad Station.....	.10	.20	.20	.10	.10	.10	.10	.20	.25	.20	.20	.20	.15	.25	.25	.60	.80	1.60	2.25	2.50	3.00	5.00	.25	.30	.35	.85	1.35	1.75	2.50		
5. District Quartermaster.....	.10	.20	.20	.10	.10	.10	.10	.20	.25	.20	.20	.20	.15	.25	.25	.60	.80	1.60	2.25	2.50	3.00	5.00	.25	.30	.35	.85	1.35	1.75	2.50		
<i>Balboa.</i>																															
6. Clubhouse, Restaurant, Commissary.....	.10	.20	.20	.10	.10	.10	.10	.10	.15	.10	.10	.25	.20	.25	.25	.70	.90	1.60	2.25	2.50	3.00	5.00	.20	.35	.40	.90	1.40	1.75	2.50		
7. Shops and Dock 18.....	.10	.20	.20	.10	.10	.10	.10	.15	.20	.15	.15	.25	.20	.25	.25	.70	.90	1.60	2.25	2.50	3.00	5.00	.25	.35	.40	.90	1.40	1.75	2.50		
8. Yacht Club, Quarantine Station, Fort Amador Gate.....	.20	.25	.25	.20	.20	.10	.15	.15	.10	.15	.15	.30	.25	.30	.30	.75	.95	1.60	2.25	2.50	3.00	5.00	.25	.35	.40	.90	1.40	1.75	2.50		

9. Fort Amador (Inside).....	.25	.30	.30	.25	.25	.15	.20	.10	.....	.20	.20	.35	.30	.35	.80	1.00	1.00	2.25	2.50	3.00	5.00	.30	.40	.45	.95	1.40	1.75	2.50
10. Coaling Station, Old Panama Railroad Wharf, La Boca. Line.....	.20	.25	.25	.20	.20	.10	.15	.20	.....	.15	.30	.25	.30	.30	.75	.95	1.60	2.25	2.50	3.00	5.00	.25	.35	.40	.90	1.40	1.75	2.50
11. Zone Boundary Line.....	.20	.25	.25	.20	.20	.10	.15	.20	.15	.....	.10	.20	.20	.20	.70	.90	1.60	2.25	2.50	3.00	5.00	.10	.20	.25	.75	1.25	1.75	2.50
Ancon.																													
12. Tivoli, Commissary, Restaurant, Laundry, Hosp. Admt. Office, Zone Boundary Line.....	.20	.25	.25	.20	.20	.25	.30	.35	.30	.10	.....	.10	.20	.20	.50	.70	1.50	2.25	2.50	3.00	5.00	.10	.20	.25	.75	1.25	1.75	2.50
13. Corral.....	.15	.20	.20	.15	.20	.20	.25	.30	.25	.20	.10	.....	.25	.25	.60	.80	1.60	2.25	2.50	3.00	5.00	.15	.25	.30	.80	1.30	1.75	2.50
14. Hospital, Superintendent's Office, Wards.....	.25	.20	.20	.25	.25	.25	.30	.35	.30	.20	.20	.25	.....	.10	.60	.80	1.60	2.25	2.50	3.00	5.00	.20	.30	.35	.85	1.35	1.75	2.50
15. Administration Building, Ancon.....	.25	.20	.20	.25	.25	.25	.30	.35	.30	.20	.20	.25	.10	.....	.60	.80	1.60	2.25	2.50	3.00	5.00	.20	.30	.35	.85	1.35	1.75	2.50
Interior Points.																													
16. Diablo (a).....	.60	.70	.70	.60	.60	.70	.70	.75	.80	.75	.70	.50	.60	.60	.80	.25	1.00	1.65	2.00	2.50	4.50	.60	.75	.90	1.25	1.75	2.00	2.75	
17. Corozal (a).....	.80	.90	.90	.80	.80	.90	.90	.95	1.00	.95	.90	.70	.80	.80	.80	.25	1.00	1.40	1.65	2.50	4.50	.80	.90	1.40	1.75	2.00	2.75		
18. Miraflores (a).....	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.50	1.60	1.60	1.60	1.00	1.00	1.25	1.50	4.00	1.60	1.60	1.70	2.25	2.75	3.25	4.00		
19. Pedro Miguel (a).....	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	1.65	1.40	1.00	.25	1.50	4.00	2.25	2.25	2.35	2.60	3.00	3.50	4.25	
20. Paraiso (a).....	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.00	1.65	1.25	.25	1.25	4.00	2.50	2.50	2.60	2.80	3.20	3.70	4.45	
21. Summit (a).....	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	2.50	2.50	1.50	1.25	3.00	3.00	3.00	3.00	3.25	3.75	4.25	5.00	
22. Gamboa (a).....	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	4.50	4.50	4.50	4.00	4.00	3.00	5.00	5.00	5.00	5.00	5.25	5.75	6.25	7.00	
Panama.																													
23. City, South of California Bridge.....	.25	.30	.30	.25	.25	.30	.25	.25	.30	.25	.10	.10	.15	.20	.20	.60	.80	1.60	2.25	2.50	3.00	5.00	c 20	.25	.75	1.25	1.75	2.50
24. Soldiers' Club.....	.30	.35	.35	.30	.30	.35	.35	.40	.35	.20	.20	.20	.25	.30	.30	.60	.80	1.60	2.25	2.50	3.00	5.00	c 2010	.50	1.00	1.50	2.25
25. Bella Vista.....	.35	.40	.40	.35	.35	.40	.40	.45	.40	.25	.25	.30	.35	.35	.75	.90	1.70	2.35	2.60	3.00	5.00	.25	.10	.....	.50	1.00	1.50	2.25
26. Las Subanas Police Station.....	.85	.90	.90	.85	.85	.90	.90	.95	.90	.75	.75	.80	.85	.85	1.25	1.40	2.25	2.60	2.80	3.25	5.25	.75	.50	.50	.50	.50	1.00	1.75	
27. Rio Abajo.....	1.35	1.40	1.40	1.35	1.35	1.40	1.40	1.40	1.40	1.25	1.25	1.30	1.35	1.35	1.75	2.75	3.00	3.20	3.75	5.75	1.25	1.00	.50	.50	.75	1.50			
28. Old Panama.....	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	2.00	3.25	3.50	3.70	4.25	6.25	1.75	1.50	1.50	1.00	.75	1.50			
29. Juan Diaz.....	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.75	2.75	4.00	4.25	4.45	5.00	7.00	2.50	2.25	2.25	1.75	1.50	1.50		

(a) A fare of 10 cents is established for all hauls within limits of habitation of interior villages.

(b) Points north of Santa Ana Plaza, 25 cents.

(c) From the Panama Railroad Station, Panama, to the Soldiers' Club, 10 cents.

(Fares are indicated in U. S. Currency.)

Regulating the flying of civilian aircraft.

P R O C L A M A T I O N .

WHEREAS, The United States of America is now at war, and the Army and Navy thereof are endangered in their operations and preparation by aircraft,⁵⁵⁹ I, WOODROW WILSON, President of the United States, by virtue of the authority vested in me by the Constitution as Commander-in-Chief of the Army and Navy of the United States and of the Militia of the several States when called into the actual service of the United States, do hereby for the protection of such forces issue the following proclamation.⁵⁶⁰

I. A license must be obtained from the Joint Army and Navy Board on Aeronautic Cognizance by or in behalf of any person who contemplates flying in a balloon, aeroplane, hydroplane, or other machine or device over or near any military or naval forces, camp, fort, battery, torpedo station, arsenal, munition factory, navy yard, naval station, coaling station, telephone or wireless or signal station, or any building or office connected with the National Defense, or any place or region within the jurisdiction or occupation of the United States which may be designated by the President as a zone of war-like operations or of war-like preparation.

II. The license will specify the person to whom it is issued, the machine to be used, the persons to operate the machine and all other persons to be carried therein, the mode of marking or otherwise identifying the machine, and other details intended to assure the military and naval forces of the peacefulness of the errand.

III. The license will also specify the territory and the time wherein it shall be available.

IV. In case any aircraft shall disregard this proclamation or the terms of the license, it shall be the right and duty of the military or naval forces to treat the aircraft as hostile and to fire upon it or otherwise destroy it, notwithstanding the resultant danger to human life.

V. For the present, the President designates as a zone of military operations and of military preparation the whole of the United States and its territorial waters and of the insular possessions and of the Panama Canal Zone.

VI. The provisions of this proclamation do not apply to aircraft operated by the Army or Navy of the United States.

VII. No private flying without a license will be permitted after the expiration of thirty days from the date of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE in the District of Columbia, this 28th day of February, in the year of our Lord one thousand nine hundred and eighteen, and of the independence of the United States the one hundred and forty-second.

WOODROW WILSON.

By the President:

ROBERT LANSING,
Secretary of State.

[No. 1432.]

Order of the President of Mar. 25, 1918, establishing Fort Sherman Military Reservation.⁵⁶¹

WHEREAS, by the treaty between the United States of America and the Republic of Panama, to insure the construction of a ship canal across the Isthmus of Panama to connect the Atlantic and Pacific Oceans, ratified under date of February 26, 1904,⁵⁶² the Republic of Panama granted to the United States in perpetuity, the use, occupation and control of a zone of land and land under water ten miles in width for the construction, maintenance, operation, sanitation and protection of the said canal, and the use, occupation and control in perpetuity of any other lands and waters outside of the said zone which may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said canal.

AND WHEREAS, the use, occupation and control of the lands hereinafter described, a part thereof being within the limits of the said ten mile zone and a part within the Republic of Panama adjacent thereto but outside of the said zone, are deemed necessary for the protection of the said canal.

⁵⁵⁹ See Executive Order of Aug. 7, 1913, p. 150, requiring written authority from the Chief Executive of the Canal Zone to operate aircraft in Canal Zone.

⁵⁶⁰ This Proclamation abrogated by Proclamation of July 31, 1919, p. 254.

⁵⁶¹ Art. 2 (T. & A. 18).

⁵⁶² See order of Nov. 6, 1920, p. 276, defining enlarged limits.

NOW, THEREFORE, I, WOODROW WILSON, President of the United States, by virtue of the authority granted by the said treaty and of the authority vested in me by the laws of the United States made and provided, do hereby set apart for the protection of the said canal and for use as a military reservation in connection therewith, subject to private rights, if any there be, lands and land under water, the same being described as follows:

Beginning at the southwest end of the Toro Point Breakwater, Latitude N. 9° 22' 26.29" Longitude 79° 57' 06.49" W., the boundary follows the low water line of Limon Bay to a concrete monument on right bank of the mouth of the Rio Pilibio, Latitude N. 9° 19' 15.48" Longitude 79° 57' 14.48" W.; thence S. 49° 15' W., 12,300 feet to a concrete monument on the left bank of the mouth of the Rio Mojinga; thence northwest along the right bank of the Rio Chagres to its mouth; thence northeast along the low water line of the Carribean⁵⁶³ Sea to the initial point.

WOODROW WILSON.

THE WHITE HOUSE, 25 March, 1918.

[No 2825.]

Order of the President of Apr. 5, 1918, to amend Civil Service Rule as to Exempt Positions.

Schedule A of classified positions excepted from examination under the civil service rules is hereby amended by adding to Subdivision I, applying to the entire classified service, a paragraph to be numbered 15, as follows:

15. All officers and employees in the Federal service upon the Isthmus of Panama, except those who are to perform the duties of clerk, bookkeeper, stenographer, typewriter, surgeon, physician, trained nurse, or draftsman. Appointments to clerical positions on the Isthmus of Panama paying not more than \$75 in gold per month may be made without examination under the civil service rules.⁵⁶⁴

The similar provision contained in paragraph 1 of Subdivision X of Schedule A applying to the Isthmian Canal Commission is revoked as no longer necessary, by reason of being included in the general provision.

This order is recommended by the War Department, with the concurrence of the Civil Service Commission, because of the difficulty in many cases of obtaining persons who are citizens.*

WOODROW WILSON.

THE WHITE HOUSE, 5 April, 1918.

[No. 2834.]

Order of the President of May 18, 1918, to enable The Panama Canal to coordinate Purchases with War Industries Board.

By direction of the President it is hereby declared that on account of the war with Germany an emergency exists within the meaning of Section 3709 of the Revised Statutes and amendments thereto and other statutes as to purchases to be made for the Government by The Panama Canal.

It is therefore ordered that, in view of such emergency and the necessity of cooperating with the War Industries Board in the manner outlined by the President in his letter to Mr. Bernard M. Baruch of March 4, 1918, The Panama Canal is hereby authorized to make purchases without advertising for bids for the material and supplies to be procured which are on the clearance list as announced and supplemented from time to time by the War Industries Board: Provided, however, that such material and supplies as are not on the clearance list issued from time to time by the War Industries Board shall be purchased by The Panama Canal in the usual way and under the usual requirements now applicable to The Panama Canal.

⁵⁶³ Should read "Caribbean."

⁵⁶⁴ Sec. 4 of Executive Order of Feb. 2, 1914, p. 158, has this provision. See order of Nov. 16, 1918, p. 249, amending both orders so as to permit appointments to clerical positions in the Federal Service on the Isthmus of Panama paying not more than \$106 a month, without examination under the civil service rules. That order, however, not to be in effect longer than 6 months from the end of the war.

The Panama Canal shall use every effort to procure material and supplies at the lowest price obtainable, taking into consideration the necessity of cooperating with and being governed by the advice of the War Industries Board as to prices, priorities, and deliveries of material.

This order is issued for the purpose of enabling The Panama Canal to legally cooperate with and coordinate its purchases with the operations of the War Industries Board and to meet the emergency created by the War with Germany, so far as it affects purchases to be made by The Panama Canal.

NEWTON D. BAKER,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., May 18, 1918.

Order of the President of May 28, 1918, establishing Balboa Naval Radio Station.

The following described portion of that certain tract of land situated at Balboa, Canal Zone, and placed under the control of the Secretary of the Navy by the Executive Order of May 26, 1914, No. 1948, is hereby transferred from the control of the Secretary of the Navy, and placed under the control of the Secretary of War for military purposes:⁵⁶⁵

Beginning at Monument V in the present boundary line of the Naval Reservation, Balboa; thence on a line connecting the said monument V with the center of the most southerly foot of the south radio tower to its intersection with the top of the slope a distance of 63 feet more or less; thence a distance of 554 feet more or less on a line having an azimuth of 260° 44' to a point immediately west of the main road to Fort Amador; thence a distance of 408.6 feet more or less on a line having an azimuth of 250° 0' to the intersection with the present southerly boundary line of the Naval Station, marked W. Z.; thence in a south-easterly direction along said line W. Z., that has an azimuth of 307° 40', a distance of 630 feet more or less to the Monument Z; thence in a northeasterly direction along the line marked V, that has an azimuth of 217° 40' a distance of 765 feet more or less to the point of beginning, all as shown on blueprint marked "United States Navy Radio Station, Balboa, C. Z., March 17, 1915, F. H. Cook, Civil Engineer, U. S. N.," which plan is on file in the Navy Department.

The transfer of the above described tract of land is made subject to the continued right of the Navy Department to lay and maintain therein, underground antennæ receiving wires needed in connection with the maintenance and operation of the Naval Radio Station at Balboa, C. Z.

WOODROW WILSON.

THE WHITE HOUSE, 28 May, 1918.

[No. 2869.]

Order of the President of May 28, 1918, Relating to Anchorage and Movement of Vessels.

Whereas a national emergency exists of the character contemplated in Section 1 under Title II of the Act of Congress approved June 15, 1917, commonly known as the Espionage Act:⁵⁶⁶

Therefore, I, WOODROW WILSON, President of the United States of America, by virtue of the powers conferred upon me by the said Act of Congress, do hereby authorize the Governor of The Panama Canal to exercise, within the territory and waters of the Canal Zone,⁵⁶⁷ all the powers mentioned in said Section 1, Title II, of said Act, to the same extent as is conferred therein on the Secretary of the Treasury with regard to the territorial waters of the United States, and all acts heretofore done by the Governor of The Panama Canal or under his authority pursuant to said section of said act are hereby ratified and confirmed.⁵⁶⁸

WOODROW WILSON.

THE WHITE HOUSE, 28 May, 1918.

⁵⁶⁵ Executive Order of July 25, 1919, p. 252, rescinds above order.

⁵⁶⁶ T. & A. 163.

⁵⁶⁷ Reads as amended by Executive Order of July 9, 1918.

⁵⁶⁸ See Governor's Circular No. 721, rules and regulations on this subject for the Canal Zone.

Order of the President of July 9, 1918, Relating to Anchorage and Movement of Vessels.
(Superseding Order of May 28, 1918.)

Whereas a national emergency exists of the character contemplated in Section 1 under Title II of the Act of Congress approved June 15, 1917, commonly known as the Espionage Act;

Therefore, I, WOODROW WILSON, President of the United States of America, by virtue of the powers conferred upon me by the said Act of Congress, do hereby authorize the Governor of The Panama Canal to exercise, within the territory and waters of the Canal Zone, all the powers mentioned in said Section 1, Title II, of said Act, to the same extent as is conferred therein on the Secretary of the Treasury with regard to the territorial waters of the United States, and all acts heretofore done by the Governor of the Panama Canal, or under his authority pursuant to said section of said act are hereby ratified and confirmed.⁵⁶⁹

This order supersedes Executive Order No. 2867 dated May 28, 1918.⁵⁷⁰

WOODROW WILSON.

THE WHITE HOUSE,
9 July, 1918.

[No. 2907.]

Amending paragraph 20 of the navigation rules and regulations of The Panama Canal.

By virtue of the authority vested in me, I hereby establish the following Executive Order for the Canal Zone:

SECTION 1. Paragraph 20⁵⁷¹ of the Executive Order of July 9, 1914, entitled "Rules and Regulations for the Operation and Navigation of The Panama Canal and approaches thereto, including all waters under its jurisdiction," is hereby amended to read as follows:

"20. The captain or master of a vessel in Canal waters, except while the vessel is being passed through the locks, shall be charged with the safe handling and proper navigation of the vessel; the pilot is to be considered as being on board solely in an advisory capacity, but masters of vessels must abide by rules and regulations of the Canal as interpreted by the pilot. No claim against The Panama Canal for damages on account of injury to a vessel or its cargo while in Canal Zone waters, arising from the operation of the Canal (other than the passing of vessels through the locks) shall be allowed unless it shall be determined by the Governor of The Panama Canal that such injury was due to the negligence or want of care on the part of agents or employees of The Panama Canal and there shall be an appropriation available for the payment of such claim."

SECTION 2. This order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE, 26 July, 1918.

[No. 2926.]

Entrance or Departure of Persons During Hostilities.

PROCLAMATION.

WHEREAS by Act of Congress approved the twenty-second day of May, one thousand nine hundred and eighteen, entitled "An Act to prevent in time of war departure from and entry into the United States contrary to the public safety,"⁵⁷² it is provided as follows:

* * * * *

AND WHEREAS other provisions relating to departure from and entry into the United States are contained in section 3, sub-section (b), of the Trading with the Enemy Act, approved October 6, 1917, and in section four thousand and sixty-seven of the Revised Statutes as amended by the Act of April 16, 1918, and sections four

⁵⁶⁹ See Circular No. 721 of the Governor providing certain rules and regulations under this order.

⁵⁷⁰ p. 239. That order reads as amended by this order. See notes thereunder.

⁵⁷¹ p. 178.

⁵⁷² T. & A. 193.

thousand and sixty-eight, four thousand and sixty-nine, and four thousand and seventy of the Revised Statutes, and in the regulations prescribed in the President's proclamations of April 6, 1917, November 16, 1917, December 11, 1917, and April 19, 1918;

AND WHEREAS the Act of May 20, 1918, authorizes me to coordinate and consolidate executive agencies and bureaus in the interest of economy and more efficient concentration of the Government;

NOW, THEREFORE, I, WOODROW WILSON, President of the United States of America, acting under and by virtue of the aforesaid authority vested in me, do hereby find and publicly proclaim and declare that the public safety requires that restrictions and prohibitions in addition to those provided otherwise than by the Act of May 22, 1918, above mentioned, shall be imposed upon the departure of persons from and their entry into the United States; and I make the following orders thereunder:

1. No citizen of the United States shall receive a passport entitling him to leave or enter the United States, unless it shall affirmatively appear that there are adequate reasons for such departure or entry and that such departure or entry is not prejudicial to the interests of the United States.

2. No alien shall receive permission to depart from or enter the United States unless it shall affirmatively appear that there is reasonable necessity for such departure or entry and that such departure or entry is not prejudicial to the interests of the United States.

3. The provisions of this proclamation and the rules and regulations promulgated in pursuance hereof, shall not be held to suspend or supersede in any respect, except as herein expressly provided the President's proclamations of April 6, 1917, November 16, 1917, December 11, 1917, and April 19, 1918, above referred to; nor shall anything contained herein be construed to suspend or supersede any rules or regulations issued under the Chinese Exclusion law or the immigration laws except as herein expressly provided; but the provisions hereof shall, subject to the provisos above mentioned, be regarded as addition to such rules and regulations. Compliance with this Proclamation and the rules and regulations promulgated in pursuance hereof shall not exempt any individual from the duty of complying with any statute, proclamation, order, rule or regulations not referred to herein.⁵⁷³

4. I hereby designate the Secretary of State as the official who shall grant, or in whose name shall be granted, permission to aliens to depart from or enter the United States; I reaffirm sections 25, 26, and 27 of the Executive Order of October 12, 1917, vesting in the Secretary of State the administration of the provisions of Section 3, sub-section (b), of the Trading with the Enemy Act; I transfer to the Secretary of State the executive administration of Regulations 9 and 10 of the President's Proclamation of April 6, 1917, of Regulation 15 of the President's Proclamation of November 16, 1917, and of Regulations 1 and 2 of the President's Proclamation of December 11, 1917, and the executive administration of the aforesaid regulations as extended by the President's Proclamation of April 19, 1918, said executive administration heretofore having been delegated to the Attorney General under dates of April 6, 1917, November 16, 1917, December 11, 1917, and April 19, 1918. The Rules and Regulations made by the Secretary of the Treasury as authorized by Title II, Section 1, of the Espionage Act, approved June 15, 1917, and by the Executive Order of December 3, 1917, shall be superseded by this Proclamation and the rules and regulations promulgated in pursuance hereof in so far as they are inconsistent therewith.

I hereby direct all departments of the Government to cooperate with the Secretary of State in the execution of his duties under this Proclamation and the rules and regulations promulgated in pursuance hereof. They shall upon his request make available to him for that purpose the services of their respective officials and agents. The Secretary of the Treasury, the Secretary of War, the Attorney General, the Secretary of the Navy, the Secretary of Commerce, and the Secretary of Labor shall, at the request of the Secretary of State, each appoint a representative to render to the Secretary of State, or his representative, such assistance and advice as he may desire respecting the administration of this Proclamation and of the rules and regulations aforesaid.

⁵⁷³ See act of Congress of Nov. 10, 1918 (T. & A. 222), regulating entry of aliens into the United States, sec. 5 of which provides that said act takes effect when the provisions of the above-mentioned act of May 22, 1918, shall cease to be operative, and shall continue in effect until and including the 4th day of March, 1921. See also Executive Order of Aug. 8, 1918, pp. 240-245, supplemental to above Proclamation of same date, p. 240, prescribing rules and regulations governing departure from and entry into the United States; and order of Sept. 4, 1918, p. 246, making those regulations effective in the Canal Zone as of Nov. 15, 1918, at 6 a. m. See also Cong. Jt. Res., Mar. 3, 1921 (T. & A. 238), providing that the "termination of the present war" shall be construed as of Mar. 3, 1921.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia, this 8th day of August in the year of our Lord one thousand nine hundred and eighteen, and of the Independence of the United States the one hundred and forty-third.

WOODROW WILSON.

BY THE PRESIDENT:

ROBERT LANSING,
Secretary of State.

[No. 1473.]

Rules and Regulations Governing the Issuance of Permits to Enter and Leave the United States.

Supplemental to the Presidential Proclamation of August 8, 1918, and by virtue of the authority set forth therein, I hereby prescribe the following rules and regulations governing departure from and entry into the United States.

SECTION 1. The present system of controlling entry into and departure from the United States by alien enemies and other persons, as administered by the Department of State, the Department of the Treasury, the Department of Justice, the Department of Commerce, and the Department of Labor, is hereby confirmed and established by virtue of the authority vested in me as aforesaid and shall continue in full force and effect in the continental United States as defined herein until 6 o'clock in the forenoon of September 15, 1918, and in the outlying possessions of the United States until such time or times as the Secretary of State shall designate; when the following rules and regulations shall become operative and shall supersede all rules, regulations, and orders of the present system inconsistent with them; but the Secretary of State may direct at any time subsequent to the date thereof that seamen be kept on their vessels. (See sec. 10 (c), *infra*.) The Secretary of State is hereby authorized, in his discretion, to prescribe exceptions to these rules and regulations governing the entry into and departure from the United States of citizens and subjects of the nations associated with the United States in the prosecution of the war.

TITLE 1.—*Definitions.*

SEC. 2. The term "United States" as defined in the Act of May 22, 1918,⁵⁷⁴ and as used herein includes the Canal Zone and all territory and waters, continental and insular, subject to the jurisdiction of the United States.

SEC. 3. The term "continental United States" as used herein includes the territory of the several States of the United States and Alaska.

SEC. 4. The term "departure from the United States" as used herein includes, in addition to any entry whatever upon foreign territory or waters, any trip or journey on or over (1) the Great Lakes or their connecting waters, (2) any rivers or other waters coinciding with or covering the boundary of the United States, or (3) tidal waters beyond the shore line of the United States, said shore line being hereby defined as the line of seacoast and the shores of all waters of the United States and its territorial possessions connected with the high seas and navigable by ocean-going vessels. Provided, however, That no trip or journey upon a public ferry having both termini in the United States and not touching foreign territory or waters shall be deemed a departure from the United States.

SEC. 5. The term "passport" as used herein includes any document in the nature of a passport issued by the United States or by a foreign government, which shows the identity and nationality of the individual for whose use it was issued and bears his signed and certified photograph.

SEC. 6. The granting of a "permit" or "permission" to leave or enter the United States as the terms are used herein, shall be construed to include the granting of a license under section 3 (b) of the "Trading with the Enemy Act" whenever such license is essential to the lawful transportation of the person to whom the permit is granted. Wherever it is provided explicitly or by implication that any person may depart from or enter the United States without a permit or permission under these regulations, such provision of itself shall be construed as a license under said section 3 (b) authorizing the transportation of such persons within the limits covered by the provision.

SEC. 7. The term "seaman" as used herein includes, in addition to the persons ordinarily described thereby, sea-going fishermen and all owners, masters, officers, and members of crews and other persons employed on vessels which for purposes of business or pleasure cruise on tidal waters beyond the shore line or on the Great Lakes.

SEC. 8. The term "hostile aliens" includes (a) all persons who are alien enemies as now or hereafter defined by statute, or by proclamation of the President; and (b) all subjects or citizens of enemy or ally of enemy nations.

TITLE 2.

*Limitations upon and Exceptions to the Application of the Act of May 22, 1918.*⁵⁷⁵

SEC. 9. The following general limitations upon and exceptions to the application of the Act of May 22, 1918, are authorized and prescribed:

(a) No passports or permits to depart from or enter the United States shall be required of persons *other than hostile aliens* traveling between ports of the continental United States on vessels making no intermediate calls at foreign or non-continental ports. *Hostile aliens must obtain permits for all departures from, and entries, into the United States.*

(b) No passports or permits to depart from or enter the United States shall be required of persons *other than hostile aliens* traveling between points in the continental United States and points in Canada or Bermuda, or passing through Canada on a trip between two points in the continental United States, except as provided and required by Title 3 of these regulations. This exception is not applicable to persons going from the continental United States via Canada to other places outside of the continental United States. Persons *other than hostile aliens* starting from Newfoundland for the United States shall not be required to obtain visas or verifications from the American consul in Newfoundland. (As to hostile aliens, see 9 (a), supra.)

(c) No passports or permits to depart from or enter the United States shall be required of persons in or attached to the military or naval forces of the United States or of any nation associated with the United States in the prosecution of the war, provided that such persons when in or attached to the military or naval forces of a nation so associated with the United States shall be identified and vouched for to the Secretary of State by a duly authorized representative of such nation, and provided further that when persons in or attached to such military or naval forces travel separately or otherwise than in regular commands they shall bear certificates issued by the War or Navy Department of the United States or by a duly authorized representative of an associated nation, adequately establishing the identity of the bearers and their connection with the military and naval forces aforesaid. Nothing herein shall be construed to prevent a citizen of the United States, if a member of or attached to the military or naval forces of any country, from entering or leaving the United States provided he bears a valid passport in lieu of the certificate of identification above described. All such departures shall, however, be subject to the requirements of Title 3 of these regulations. The limitations and exceptions aforesaid are subject to the provisions of section 38 hereof.

SEC. 10. * * * (c) Aliens who are seamen on vessels arriving at ports of the United States and who desire to land in the country shall apply to an immigrant inspector. They shall submit to such immigrant inspector satisfactory evidence of their nationality and furnish such photographs and execute such forms and applications as the immigrant inspector shall require. The immigrant inspector may thereupon issue identity cards authorizing such seamen to land in the United States, unless the Secretary of State directs that they be kept on their vessels.

(d) Alien seamen desiring to sail from the United States shall submit satisfactory evidence of nationality to the United States customs inspectors stationed at the port of departure. If such applicants have landed in the United States since the date on which these regulations became effective at their port of arrival they shall further submit the identity cards issued by the immigrant inspector permitting them to land in the country. Said identity cards shall be stamped by the customs officials, if permission is given the applicants to depart, and such cards so stamped shall be the evidence of such permission. In case an applicant for permission to sail under this paragraph has not entered the United States since these regulations became effective, he shall apply to a collector of customs for an identity card and permission to sail. In making such application he shall submit satisfactory evidence of his nationality and furnish such photographs and execute such forms and applications as the collector of customs shall require.

(e) Identity cards issued to alien seamen as provided by the foregoing paragraphs (c) and (d) shall be retained by the seamen to whom they are issued and used by the holders from time to time as they land in and sail from the United States. An alien seaman bearing such card shall have the same validated for landing or sailing by the immigration or customs authorities respectively on each occasion when he applies for permission to land at or sail from a United States port.

(f) Aliens passing through the United States en route between two foreign points and not remaining in the United States more than 30 days shall make application for permission to depart through the immigration official acting as control officer at the point where they enter the United States. Such permission, if granted, will be given by the official acting as control officer at the designated point of departure. Nothing herein shall be construed as requiring a permit for departure from a transient alien in case such permit would not have been necessary if the journey to his final destination had commenced in the United States. A transient will be required to depart from the United States at the earliest date practicable. He shall submit to the immigrant inspector his itinerary to the port of departure, which shall be by the most direct route reasonably available, and upon obtaining approval of the same he shall proceed immediately to the port of departure. Upon arrival at said port he shall report forthwith to the customs officers. For all deviations and delays special permission must be obtained from the Secretary of State.

(g) No permits to depart from or enter the United States shall be required of officials or representatives of foreign countries duly accredited to the United States or a friendly country provided that such persons bear valid passports and provided further that the Department of State is notified in advance of their intended entry or departure and consents thereto. Such officials, however, when desiring to enter the United States shall have their passports visaed by a diplomatic or consular officer of the United States in the country from which they come and in the country from which they embark for or enter the United States; and such officials desiring to depart from the United States shall have their passports visaed by the Department of State.

Nothing in the foregoing paragraphs (a) to (g), inclusive, shall be construed to prevent the entry or departure of an alien at the Mexican or Canadian border, of an alien seaman at a United States port, or of a transient alien at any point, provided he bears a valid permit for such entry or departure issued in accordance with Title 6 or Title 7 hereof.

SEC. 11. The following limitations upon and exceptions to the application of section 2 of the Act of May 22, 1918, are authorized and prescribed:

(a) Citizens of the United States traveling between United States ports not within the continental United States, or between such ports and ports within the continental United States, on vessels making no intermediate calls at foreign ports other than those of Canada or Bermuda, shall not be required to bear passports provided that they have received from the immigrant inspector at the port of departure United States citizens' identity cards. Applicants for such cards shall supply such photographs and execute such forms and applications as the immigrant inspectors require. When applications for such cards are made in dependencies of the United States where no immigrant inspectors are stationed they shall be made to the governors of such dependencies or their representatives duly appointed for the purpose: *provided*, that employees of The Panama Canal and the Panama Railroad Company, and members of their families, civilian employees of the United States and members of their families, and the families of members of the Army and Navy, traveling between the continental United States and the Panama Canal Zone, may carry identity certificates issued by The Panama Canal in lieu of passports or identity cards issued by immigration officials.⁵⁷⁶

(c) Citizens of the United States who are seamen upon vessels entering or leaving ports of the United States shall not be required to bear passports provided that they bear seamen's certificates of American citizenship issued by collectors of the ports of the United States as provided for in section 4588 of the Revised Statutes. Citizens applying for such certificates shall supply such photographs and execute such forms and applications as the collectors shall require. No identity card other than a passport or a seamen's certificate shall be issued to a seaman who is a citizen of the United States.

⁵⁷⁶ Executive Order of July 12, 1919, p. 252, provides that citizens of the United States will not be required to have passports for travel between the United States and the Canal Zone. Hostile aliens, however, to continue to bear passports and departure permits. See also order of Apr. 7, 1921, p. 282, amending above order as to entry of aliens into Canal Zone with passports visaed by consular officers of United States, and order of Oct. 18, 1921, p. 291.

Nothing in the foregoing paragraphs (a), (b), and (c) shall be construed to prevent the use of a valid passport by any seaman or other citizen referred to in said paragraphs in lieu of a seamen's certificate or identity card as described therein.

TITLE 3.—General regulations—Persons liable to military service.

SEC. 12. No person registered or enrolled or subject to registry or enrollment for military service in the United States shall depart from the United States without the previous consent of the Secretary of War or such person or persons as he may appoint to give such consent. The Secretary of State shall issue no passport or permit entitling such person to depart without securing satisfactory evidence of such consent. Reference should be had to Section 156, Selective Service Regulations, and amendments thereto.

TITLE 4.—American citizens—Departure and entry.

ISSUE OF PASSPORTS.

SEC. 13. The "Rules Governing the Granting and Issuing of Passports in the United States" as established on January 24, 1917, are continued in force without change.

VERIFICATION OF PASSPORTS IN FOREIGN COUNTRIES.

SEC. 14. Passports are not valid for return to the United States unless verified in the country from which the holder starts on his journey to the United States and further verified in the foreign country from which he embarks for or enters the United States. No fee shall be collected by diplomatic or consular officers of the United States for or in connection with such verification.

* * * * *

TITLE 8.—Control at point of entry and departure.

SEC. 36. The actual control of persons departing from the United States at all seaboard and lake ports shall be exercised by the representatives of the customs service of the Department of the Treasury, who shall act as control officers for this purpose. The actual control of persons departing from the United States by land and of all persons entering the United States shall be exercised by the representatives of the Bureau of Immigration of the Department of Labor, who shall act as control officers for this purpose. The Secretary of State may from time to time designate other persons to act as control officers at any place. In all cases where passports or/and permits to enter or depart are required under these regulations each traveler before entering or departing from the United States shall present his passport or/and permit to the Control Officer at the point of entry or departure. He shall also answer such questions and undergo such examination as the Control Officer shall direct. If, as the result of such questioning and examinations, the Control Officer decides that the entry or departure of the holder of the passport or permit would be prejudicial to the interests of the United States, such person shall not be allowed to enter or depart. Under such circumstances the Control Officer shall immediately notify the Secretary of State by telegraph of his decision and shall as soon as practicable, and in no case later than two days after such decision, forward to the Secretary of State a full report giving the reasons for detention and a full transcript of any testimony or information bearing on such decision.

SEC. 37. If the Control Officer shall be satisfied that the permit and passport are valid and regular and have been properly visaed and that the holder presenting them is the person described therein, that neither of them has been altered or tampered with and that the holder's departure or entry is not prejudicial to the interests of the United States, he shall allow the holder to depart from or enter the United States.

SEC. 38. In addition to the control as above set forth of persons generally required to secure permission to depart from or enter the United States, control may be exercised over individuals belonging to classes of persons generally allowed to depart or enter without permits or passports. A Control Officer may temporarily prevent the departure or entry of any such individual, in case he considers such departure or entry prejudicial to the interests of United States. Such action shall be immediately

reported to the Secretary of State with a full statement of the reasons therefor. An individual so prevented from departing or entering shall not be entitled to the benefit of any of the limitations or exceptions contained in Section 9 hereof and his departure or entry is forbidden unless, if an alien, he obtains permission from the Secretary of State, or, if a United States citizen, he obtains a valid passport.

TITLE 9.—*Additional regulations.*

SEC. 39. The Secretary of State is authorized to make regulations on the subject of departure from and entry into the United States additional to these rules and regulations and not inconsistent with them.⁵⁷⁷

WOODROW WILSON.

THE WHITE HOUSE,
8 August, 1918.

[No. 2932.]

To designate effective date of operation of preceding Order.

WHEREAS, by an Executive Order dated August 8, 1918, and supplemental to the Presidential Proclamation of the same date, rules and regulations governing the issuance of permits to enter and leave the United States were promulgated in pursuance of an Act of Congress approved the twenty-second day of May, 1918, entitled "An Act to Prevent in Time of War Departure From and Entry Into the United States Contrary to the Public Safety;" and

WHEREAS, said Executive Order provides that said law and said rules and regulations shall become operative at six o'clock in the forenoon of September 15, 1918, for the continental United States, and for the outlying possessions of the United States at such time or times as the Secretary of State shall designate;

NOW, THEREFORE, I, Robert Lansing, Secretary of State of the United States of America, acting under and by virtue of the authority vested in me, do hereby designate the following dates when said rules and regulations shall become operative in the outlying possessions of the United States, to wit: October 15, 1918, at six o'clock in the forenoon for Porto Rico and the Virgin Islands; October 30, 1918, at six o'clock in the forenoon for the territory of Hawaii; November 15, 1918, at six o'clock in the forenoon for the Panama Canal Zone; November 30, 1918, at six o'clock in the forenoon for the Philippine Islands.

ROBERT LANSING,
Secretary of State.

DEPARTMENT OF STATE,
WASHINGTON, D. C.,
September 4, 1918.

Order of the President of Oct. 3, 1918, providing funds for censorship of mails in Canal Zone.

Under authority conferred by "An Act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government, approved May 20, 1918, it is hereby directed that one hundred and twenty thousand dollars (\$120,000) be transferred from the appropriation of \$1,620,000, for the Censorship of Foreign Mails under the Post Office Department for the fiscal year ending June 30, 1919, and allotted to the Secretary of War for the conduct of the censorship of the mails in the Panama Canal Zone during said fiscal year.

This sum will be deducted from the appropriations made for the Post Office Department for the current fiscal year and charged to the War Department.

WOODROW WILSON.

THE WHITE HOUSE, 3 October, 1918.

[No. 2968-A.]

⁵⁷⁷ See Executive Order of May 12, 1921, p. 287, amending above order so as to permit temporary stop-overs at ports of the United States without the requirement of visaed passports.

Providing for the licensing of chauffeurs.⁵⁷⁸

By virtue of the Act of Congress entitled "An Act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders and interest deposits," approved August 21, 1916,⁵⁷⁹ I hereby establish the following Executive Order for the Canal Zone:

SECTION 1. That hereafter it shall be unlawful for any person to operate any automobile ^{s80} over the streets and roads of the Canal Zone without first having obtained a license as hereinafter provided.

SECTION 2. Each person desiring to obtain a license to operate an automobile over the streets and roads of the Canal Zone shall make written application to the Executive Secretary of The Panama Canal, stating therein his nationality, age, and experience in the operation of automobiles, whether operated by gasoline, electricity, or other motive power; and his application must be endorsed by two reputable citizens of the Canal Zone or of the city of Panama or Colon, Republic of Panama, vouching for his sobriety and trustworthiness. The Executive Secretary shall thereupon cause the applicant to be examined touching his knowledge of gasoline and electric motors and machinery, and of the mechanism and operation of automobiles, as well as in respect to the road laws and regulations of the Canal Zone; and the applicant may be required to make a practical demonstration of his ability to operate an automobile.

SECTION 3. No person shall be granted a chauffeur's license unless he is eighteen years of age or more, is of sober habits, and is able to read either the English or Spanish language, and shall prove to the satisfaction of the examiners that he has the knowledge, skill, and judgment necessary for the safe and skilful driving and handling of automobiles.

SECTION 4. The persons detailed by the Executive Secretary to examine applicants under this order shall meet at Balboa Heights or Cristobal, or at such other points in the Canal Zone as the Executive Secretary may from time to time designate and shall examine all applicants whose applications have been referred to them, and shall make a report upon such examinations to the Executive Secretary with their recommendations as to the fitness of the applicants to operate automobiles over the streets and roads of the Canal Zone. The Executive Secretary shall cause a record to be kept of all applications, together with the reports of the examiners in each case and any other papers relating thereto. If the report of the examiners is favorable to the applicant, the Executive Secretary may issue to such applicant a chauffeur's license in form substantially as follows:

THE GOVERNMENT OF THE CANAL ZONE.

LICENSE TO CHAUFFEURS.

No.

Whereas, it has been reported to me by the duly appointed examiners that has given satisfactory evidence to said examiners that he is a skilful chauffeur or operator of automobiles, and can be entrusted to perform the duties of chauffeur upon the streets and roads of the Canal Zone, he is, therefore, licensed to act as such chauffeur until such time as this license may, for cause, be revoked.

Witness my hand this day of, 191.....

Executive Secretary, The Panama Canal.

The license issued hereunder shall continue in force until revoked for cause, as hereinafter provided for.

SECTION 5. When the Executive Secretary issues a chauffeur's license he shall thereupon cause to be issued to the licensee either a card, check or badge, as may be determined from time to time by regulations of the Governor of The Panama Canal, and in such form as the latter may designate. The licensee shall be charged a fee of one dollar (\$1) for such license, to be paid to the Collector of The Panama Canal;

⁵⁷⁸ See also order of Feb. 26, 1921, p. 277, relating to rates of fare and transportation of passengers for hire in the Canal Zone; and order of April 14, 1921, p. 283, relating to operation of vehicles.

⁵⁷⁹ T. & A. 130.

⁵⁸⁰ Executive Order of Oct. 30, 1920, p. 276, requires operators of motorcycles to be licensed as chauffeurs in accordance with above order.

provided, that no fee shall be charged for licenses issued to chauffeurs who only operate automobiles belonging to or controlled by The Panama Canal or other agency of the United States or the Panama Railroad Company.

Applicants for licenses to operate automobiles belonging to or controlled by any government agency or the Panama Railroad Company need not be endorsed by two citizens as provided in Section 2 hereof for other applicants, but such applications shall be endorsed by the chief of the office, division, or unit in which the applicant is employed.

Upon the request of any Canal Zone police officer it shall be the duty of every licensee hereunder, while in charge of any automobile on the Canal Zone streets or roads, to exhibit to such officer the card, check or badge so issued to him.

SECTION 6. The Executive Secretary is hereby authorized to revoke for cause any license issued hereunder or heretofore issued.

SECTION 7. The Governor of The Panama Canal is hereby authorized to promulgate rules and regulations from time to time to carry out this order.^{s81} The licenses, cards, checks and badges heretofore issued in conformity with preexisting laws, shall continue to be effective unless revoked for cause.

SECTION 8. Any person who operates an automobile over the streets and roads of the Canal Zone without first having obtained a license as provided for under this order, or who fails to comply with the other requirements of this order or of the regulations of the Governor issued pursuant to this order, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not to exceed \$25 or by imprisonment in jail not to exceed thirty days, or by both such fine and imprisonment, in the court's discretion, as authorized by the above-mentioned Act of Congress.

SECTION 9. The ordinance enacted by the Isthmian Canal Commission of April 15, 1911, entitled "Ordinance providing for the licensing of chauffeurs for automobiles",^{s82} the ordinance enacted by the Isthmian Canal Commission dated February 3, 1914, "Amending Section 8 of Ordinance providing for the licensing of Chauffeurs for automobiles",^{s83} and all other ordinances, orders and regulations, or parts thereof, in conflict with this order are hereby repealed.

SECTION 10. This order shall take effect thirty days from and after its publication in The Panama Canal Record.^{s84}

WOODROW WILSON.

THE WHITE HOUSE, 9 October, 1918.

[No. 2971.]

Guarapo Naval Air Station.

1. The areas hereinafter described situated within the Canal Zone are hereby set apart and assigned for the uses of a naval air station, and other naval purposes, under the control of the Secretary of the Navy; but the said areas shall be subject to the civil jurisdiction of the Canal Zone authorities in conformity with the Panama Canal Act.

2. The said areas are described as follows:

I. That island named Guarapo Island, in its entirety and shown on Hydrographic Office Chart No. 5000, dated December, 1914, lying to the westward of and approximately parallel to the Canal prism, and directly to the southward of Gatun Dam, between latitudes approximately 9° 14' 50" north and 9° 15' 40" north, and longitudes approximately 79° 55' 44" west, and 79° 56' 04" west; together with the small islets immediately adjacent to the westward.

II. The water area lying between the Canal prism and the Island of Guarapo, also the water areas off of the northerly, westerly and southerly shores of said island, to a distance of two hundred (200) yards.

3. The said areas are more particularly described on blueprint No. 4301-16, dated the 27th day of September, 1918, issued by the Governor of The Panama Canal.

WOODROW WILSON.

THE WHITE HOUSE, 4 November, 1918.

[No. 2987.]

^{s81} See the 723 series of Governor's Circulars.

^{s82} L. C. Z. 281.

^{s83} Ibid. 281.

^{s84} Published in *The Panama Canal Record* of Nov. 13, 1918.

Authorizing the Granting of Sick Leave to Alien Employees in Panama Canal and Panama Railroad Service.

By virtue of the authority vested in me by law, the Governor of The Panama Canal is authorized to grant to alien employees of The Panama Canal and the Panama Railroad Company who are not entitled to leave privileges under the conditions of employment now in effect,⁵⁸⁵ compensation for time lost due to illness, with such restrictions as to time and rates of pay as may be prescribed by him in regulations in regard thereto, which he is hereby authorized to issue.

WOODROW WILSON.

THE WHITE HOUSE,
14 November, 1918.

[No. 2993.]

Order of the President of Nov. 16, 1918, Amending Rules for Maximum Pay for Non-Civil Service Clerks.

Section 4 of the Executive Order dated February 2, 1914,⁵⁸⁶ providing conditions of employment for the permanent force for The Panama Canal, and paragraph 15, subdivision I, schedule A, of the civil service rules, as amended by the Executive Order of April 5, 1918,⁵⁸⁷ are hereby amended so as to permit appointments to clerical positions in the Federal Service on the Isthmus of Panama paying not more than \$106 a month, without examination under the civil service rules. This order shall remain in effect only so long as the unusual conditions due to the present war exist and no longer than six months from the end of the war.⁵⁸⁸

WOODROW WILSON

THE WHITE HOUSE,
16 November, 1918.

[No. 2996.]

Order of the President of Nov. 27, 1918, transferring War Trade Funds for Expenditure in the Canal Zone.

Under authority conferred by "An Act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government," approved May 20, 1918, it is hereby directed that Fifty Thousand Dollars (\$50,000) appropriated by "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nineteen, and for other purposes," approved July 1, 1918, "For expenses of the War Trade Board created under authority contained in the Act entitled 'An Act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes,' approved June fifteen, nineteen hundred and seventeen, and the 'Trading with the enemy Act,' approved October sixth, nineteen hundred and seventeen, including personal and other services and rent of offices in the District of Columbia and elsewhere, traveling expenses, per diem in lieu of subsistence not exceeding \$4, law books, books of reference, periodicals, rent of grounds, supplies and equipment, printing and binding, maintenance, operation and repair of motor propelled vehicles, \$3,500,000," be transferred from said appropriation and allotted to the Secretary of War for expenditure in the Canal Zone during the fiscal year ending June 30, 1919, under the direction of said Secretary of War for the purpose for which it was appropriated.

This sum will be deducted from the appropriations made for the War Trade Board for the current fiscal year and charged to the War Department.

WOODROW WILSON

THE WHITE HOUSE,
27 November, 1918.

⁵⁸⁵ See par. 20, Executive Order of Feb. 2, 1914, p. 158.

⁵⁸⁶ p. 158.

⁵⁸⁷ p. 238.

⁵⁸⁸ Cong. Jt. Res. of Mar. 3, 1921 (T. & A. 238), having construed the termination of the war as of Mar. 3, 1921, the above Executive Order was revoked by provisions of Executive Order of May 16, 1921, p. 288.

Abrogating, Annulling, and Rescinding Certain Regulations Prescribing the Conduct of Alien Enemies.

PROCLAMATION.

WHEREAS under and by virtue of the authority vested in me by the Constitution of the United States and by Sections four thousand and sixty seven, four thousand and sixty eight, four thousand and sixty nine, and four thousand and seventy, of the Revised Statutes, I declared and established by Proclamations ⁵⁸⁹ dated April 6th, 1917, November 16th, 1917, December 11th, 1917, and April 19th, 1918, certain regulations prescribing the conduct of alien enemies;

I, WOODROW WILSON, President of the United States of America, do hereby proclaim to all whom it may concern that as of Christmas Day, December 25, 1918, Regulations numbered one to eight inclusive and Regulation eleven of the Proclamation of April 6th, 1917; Regulations numbered thirteen to twenty inclusive of the Proclamation of November 16th, 1917; and all of said Regulations as extended to women by the Proclamation of April 19th, 1918, shall be and they are hereby abrogated, annulled, and rescinded.

PROVIDED that the abrogation, annulment, and rescission of the Regulations aforesaid shall not affect the disposition of the case of any alien enemy detained, arrested, confined, or interned for the violation of any of said regulations, or release any alien enemy from the obligations of a parole imposed upon him by, or with the authorization of the Attorney General.⁵⁹⁰

This Proclamation shall extend and apply to all land and water, continental or insular, to which the above mentioned sections of the Revised Statutes extend and apply.

In Witness Whereof I have hereto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Paris in the Republic of France, this 23rd day of December, in the year of our Lord one thousand nine hundred and eighteen
[SEAL] and of the independence of the United States the one hundred and forty-third.

WOODROW WILSON

By the President:

FRANK L. POLK,

Acting Secretary of State.

[No. 1506.]

Order of the President of Jan. 25, 1919, relating to Leave Due Employees Returning from Military or Naval Service.

By virtue of the authority vested in me I do hereby establish the following Executive Order for the Canal Zone:

Employees of The Panama Canal or Panama Railroad Company who have entered the Military or Naval Service of the United States or Service overseas directly connected with the present war, including those who resigned to enter any of such services and failed to do so only because of the cessation of hostilities or on account of physical disability, and who were promised that they would be reinstated in the same or like positions within a period of ninety days after their honorable discharge from such service or within a period of 120 days after their resignation from The Panama Canal or Panama Railroad Company if unable to enter such service, shall, upon return to duty with The Panama Canal or Panama Railroad Company within the periods designated, be credited with leave at the rate of 1/12th of the year's allowance of leave, for each full month served prior to their separation from the service of The Panama Canal or Panama Railroad Company, where a loss of such leave resulted from the employees' separation from that service for the purposes named.⁵⁹¹

WOODROW WILSON

THE WHITE HOUSE,
25 January, 1919.

[No. 3031.]

⁵⁸⁹ See Proclamation of Nov. 16, 1917, p. 230; the others mentioned did not apply to the Canal Zone.

⁵⁹⁰ See act of Congress of May 10, 1920 (T. & A. 217), providing for deportation of certain undesirable aliens and to deny readmission to those deported.

⁵⁹¹ See generally conditions of employment in Executive Order of Feb. 2, 1914, p. 158, and amendment thereto of Jan. 15, 1917, p. 218. See also Governor's Circular No. 627-23 relating to quarters assignment of persons reinstated after military or naval service.

Order of the President of Jan. 25, 1919, Terminating Control of Canal and Canal Zone by Army Officer Designated by Executive Order of Apr. 9, 1917.

By virtue of the power and authority vested in and conferred upon me by the Panama Canal Act approved August 24, 1912 ⁵⁵² (37 Statutes at Large, 560, 569), the Executive Order, dated April 9, 1917, ⁵⁵³ placing the Panama Canal and all its adjuncts, appendants, and appurtenances, including the entire control and government of the Canal Zone, under the jurisdiction and authority of the Officer of the Army commanding the United States Troops stationed in the Canal Zone, is hereby terminated and shall be no longer in force

WOODROW WILSON

THE WHITE HOUSE,
25 January, 1919.

[No. 3032.]

Order of the President of Jan. 29, 1919, revoking orders issued for the Establishment of Defensive Sea Areas.

All Executive Orders heretofore issued for the establishment of Defensive Sea Areas ⁵⁵⁴ are hereby revoked.

WOODROW WILSON

THE WHITE HOUSE,
25 January, 1919.

[No. 3027.]

To Amend the Form of Panama Canal Tonnage Certificate.

The form of Panama Canal tonnage certificates heretofore provided for under Article XVIII of the rules for the measurement of vessels for The Panama Canal ⁵⁵⁵ is hereby amended to correspond in form and substance to the sample certificate appended to this order.

This order shall be effective sixty days from and after this date.

WOODROW WILSON

THE WHITE HOUSE,
4 March, 1919.

[No. 3062.]

Tariff and Regulations Governing Public Passenger Conveyances in the Canal Zone.

By virtue of the authority vested in the President by Act of Congress approved August 21, 1916, the following regulation modifying the Executive Order of January 12, 1918, establishing maximum rates of fare and governing transportation of passengers for hire in the Canal Zone, ⁵⁵⁶ is established:

SECTION 1. The rates and regulations provided in Sections 5 and 8 ⁵⁵⁷ of above-mentioned Executive Order for automobiles intended for special service shall hereafter apply only when cars are ordered from a garage for special service. In all other cases the legal rate shall be that provided in Sections 1, 2, 3 and 4 of the Executive Order of January 12, 1918.

NEWTON D. BAKER,
Secretary of War.

May 29, 1919.
By the President.

⁵⁵² T. & A. 79.

⁵⁵³ p. 224.

⁵⁵⁴ Orders of Aug. 27, 1917, p. 227, and of Oct. 24, 1917, p. 229, applied to Panama Canal. See also Governor's Circular No. 643-54 revoking certain circulars issued by the Governor under authority of said orders.

⁵⁵⁵ Prescribed by Proclamation of Nov. 21, 1913, p. 154.

⁵⁵⁶ That order, together with this amendment, repealed by Executive Order of Feb. 26, 1921, p. 277.

⁵⁵⁷ p. 232.

Order of the President of May 31, 1919, reinstating Frank H. Wang in the Panama Canal Service as postal clerk.

Mr. Frank H. Wang may be reinstated in the Panama Canal Service as a postal clerk without regard to the year limitation upon reinstatement contained in Civil Service Rule IX. Mr. Wang entered the service as a postal clerk on June 10, 1910, and on May 20, 1917, was granted leave of absence to go to France as a volunteer ambulance driver. After the expiration of his leave he resigned from the Red Cross, enlisted in the Foreign Legion of the French Army, completed the course at the French Officers' training school at Fontainebleau, held the grade of aspirant, and was demobilized on February 17, 1919. In view of his experience on the Panama Canal and his services in the cause of the allies, the Civil Service Commission recommends the waiver of the one-year limitation.

WOODROW WILSON

THE WHITE HOUSE,
31 May, 1919.

[No. 3093.]

Order of July 12, 1919, amending Rules and Regulations Promulgated under the Executive Order of August 8, 1918, issued in pursuance of an act of Congress approved the 22nd day of May, 1918, entitled "An Act to Prevent in Time of War Departure from and Entry into the United States Contrary to the Public Safety," with special reference to the waiver of United States Citizens' Identity Cards and Permits to Depart for Certain Citizens and Aliens who wish to Travel between the Continental United States and the Panama Canal Zone.

I, Frank L. Polk, Acting Secretary of State of the United States of America, acting under and by virtue of the authority vested in me by Sections 1 and 39, of the above mentioned rules and regulations as amended by Paragraph III of the Executive Order of March 3, 1919, do hereby prescribe the following exceptions and additions to the said rules and regulations, with special reference to Title 2, Section 11-A.⁵⁹⁸

SECTION 1. Citizens of the United States and other persons owing allegiance to the United States, including employees of the Panama Canal and Panama Railroad, traveling between the continental United States and the Canal Zone or between the insular possessions of the United States and the Canal Zone shall not be required to bear passports, identity cards, or permits. Co-belligerents and neutrals may make the same journeys on passports issued, renewed, or visaed, by their respective Government authorities within sixty days of the date of departure, without permits. Hostile aliens shall continue to bear passports and permits to depart.

SECTION 2. The foregoing amendments supersede all existing rules and regulations in conflict therewith.

FRANK L. POLK,
Acting Secretary of State.

DEPARTMENT OF STATE,
Washington, July 12, 1919.

Order of the President of July 25, 1919, establishing Fort Amador and Fort Grant Military Reservations.

1. The area of land hereinafter described as Fort Amador and Fort Grant Reservations, situated in the Canal Zone, is hereby set apart and assigned to the uses and purposes of a Military Reservation and shall be under the control of the Secretary of War; but said area shall be subject to the civil jurisdiction of the Canal Zone authorities in conformity with the Panama Canal Act.

2. The said area is described as follows:

FORT AMADOR AND FORT GRANT RESERVATIONS:

Starting at monument "V" which is a concrete monument whose location is latitude 8° 56' plus 3602.8 feet, longitude 79° 33' plus 1556.9 feet, shown on a map on file in the District Engineer Office, Balboa Heights, C. Z., entitled "Reservations of Fort Amador and Fort Grant, C. Z." File No. GP-2308, dated December 28, 1918; thence on a line (azimuth 97° 06') connecting the said monument "V" with the center,

⁵⁹⁸ p. 242. See also Executive Order of Apr. 7, 1921, p. 282, concerning passport control so far as it applies to entry of aliens into the Panama Canal Zone.

of the most southerly foot of the south radio tower, to the intersection of said line with the top of slope, a distance of 63 feet, more or less, which intersection is marked by a monument, marked "Mon. A" on the map; thence a distance of 534 feet on a line making an azimuth of $80^{\circ} 44'$ to a point just west of the main road to Fort Amador and marked by a peg set into a concrete pad in the gutter, marked "Mon. B" on the map; thence a distance of 405.3 feet on a line making an azimuth $70^{\circ} 0'$ to the intersection with the present boundary line at Balboa Radio Station WZ (Shown on a plan dated March 17, 1915, scale 1 to 600; entitled "U. S. Naval Radio Station, Balboa, C. Z." submitted by F. H. Cooke) marked by a monument called "Mon. C" on the map; thence a distance of 635.4 feet, more or less, on a line making an azimuth of $307^{\circ} 40'$ to a point marked by a monument known as "Monument Z"; thence a distance of 652.4 feet, more or less, on a line making an azimuth of $37^{\circ} 40'$ to a concrete monument, marked "Mon. D" on the map, which monument is on the extreme high water line on the shore of Balboa Harbor; thence along the extreme high water line in a general southeasterly direction along the west bank of the breakwater, around the former islands of Naos, Culebra, Perico and Flamenco back on the east bank of the breakwater and around the east bank of the present Fort Amador post site, on the extreme high water line to a concrete monument marked "Mon. G" on the map; thence on a line the azimuth of which is $37^{\circ} 40'$ for a distance of 63.8 feet to the concrete monument marked "V" on the map which is the point of beginning. Besides the area included in this boundary, the islands of San Jose, Panamarca, Changarmi, Tortolita, Tortola, Cocoviceta, Cocovi and Venado, are also within the reservation of Fort Grant.

All Azimuths are true and read from south.

3. All land in this area, north of latitude $8^{\circ} 56'$ will be known as Fort Amador Reservation and all land South, including the islands of San Jose, Panamarca, Changarmi, Tortolita, Tortola, Cocoviceta, Cocovi and Venado, will be known as Fort Grant Reservation. The monuments, marked "Mon. E." and "Mon. F." on the map locating this east and west line (Lat. $8^{\circ} 56'$) are placed on the extreme high water mark about 730 feet south of gun No. 1, Battery Birney.

4. Executive Order of May 28, 1918, relating to the transferring of a certain portion of land within the Balboa Radio Station Reservation from the control of the Secretary of the Navy to the control of the Secretary of War is hereby rescinded.⁵⁹⁹

5. The following described portion of that certain tract of land situated at Balboa, Canal Zone, and placed under the control of the Secretary of the Navy by the Executive Order of May 26, 1914, No. 1948, is hereby transferred from the control of the Secretary of the Navy and placed under the control of the Secretary of War for military purposes:

Starting at monument "V" which is a concrete monument whose location is latitude $8^{\circ} 56'$ plus 3602.8 feet, longitude $79^{\circ} 33'$ plus 1556.9 feet, shown on a map on file in the District Engineer Office, Balboa Heights, C. Z., entitled "Reservations of Fort Amador and Fort Grant, C. Z., File No. GP-2308 dated December 28, 1918; thence on a line (azimuth $97^{\circ} 06'$) connecting the said monument "V" with the center of the most southerly foot of the south radio tower, to the intersection of said line with the top of slope, a distance of 53 feet, more or less, which intersection is marked by a monument, marked "Mon. A" on the map; thence a distance of 534 feet on a line making an azimuth of $80^{\circ} 44'$ to a point just west of the main road to Fort Amador and marked by a peg set into a concrete pad in the gutter, marked "Mon. B" on the map; thence a distance of 405.3 feet on a line making an azimuth of $70^{\circ} 0'$ to the intersection with the present boundary line at Balboa Radio Station WZ (shown on a plan dated March 17, 1915, scale 1 to 600 entitled "U. S. Naval Radio Station, Balboa, C. Z." submitted by F. H. Cooke) marked by a monument called "Mon. C", on the map; thence a distance of 635.4 feet on a line making an azimuth of $307^{\circ} 40'$ to a point marked by a monument known as "Monument Z" thence a distance of 765 feet, more or less on a line making an azimuth of $217^{\circ} 40'$ to Monument "V" which is the point of beginning.

All azimuths are true and read from south.

6. The transfer of the above described tract of land is made subject to the continued right of the Navy Department to lay and maintain therein underground antennæ receiving wires needed in connection with the maintenance and operation of the Naval Radio Station at Balboa, C. Z.

7. This portion of land herein transferred is included in the above description of Fort Amador.

8. In addition to the above the Secretary of War shall have control of all lands and water for a distance of one hundred yards out to sea from the high water line on all shores of Fort Amador and Fort Grant Reservations, terminating at the prolongation of boundary lines towards the sea from points marked "Mon. D" and "Mon. G" on the map.

WOODROW WILSON

THE WHITE HOUSE,
25th July, 1919.

[No. 3130.]

Abrogating Regulations Governing the Flying of Civilian Aircraft.

PROCLAMATION

ABROGATING REGULATIONS GOVERNING THE FLYING OF CIVILIAN AIRCRAFT.

WHEREAS, under and by virtue of the authority vested in me by the Constitution of the United States as Commander-in-Chief of the Army and Navy of the United States and of the militia of the several States when called into actual service of the United States, I declared and established as a war measure by proclamation No. 1432 of February 28, 1918,⁶⁰⁰ rules and regulations governing flying by aircraft within the whole of the United States and its territorial waters and of the insular possessions and of the Panama Canal Zone, declaring said territory a zone of military operation and of military preparation;

And whereas, the necessity, as a war measure, for the continuance in effect of said rules and regulations has come to an end, now therefore;

I, WOODROW WILSON, President of the United States of America, do hereby proclaim to all whom it may concern that the Presidential proclamation No. 1432 of February 28, 1918, and the rules and regulations therein contained and the power and authority therein and thereby conferred upon military and naval commanders and forces are hereby abrogated, withdrawn and annulled from and after the date hereof.⁶⁰¹

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE in the District of Columbia this thirty-first day of July, in the year of our Lord one thousand nine hundred nineteen and of the independence of the [SEAL.] United States the one hundred and forty-fourth.

WOODROW WILSON.

By the President:

ROBERT LANSING,
Secretary of State.

Order of the President of August 8, 1919, relating to Registry of Foreign-built Vessels.

In pursuance of the authority conferred upon the President of the United States by section 2 of the act approved August 18, 1914,⁶⁰² entitled "An Act to provide for the admission of foreign-built ships to American registry for the foreign trade, and for other purposes," it is hereby ordered:

That the provisions of law requiring survey, inspection and measurement, by officers of the United States, of foreign-built ships admitted to United States registry under said Act are hereby suspended so far and for such length of time as is herein provided, namely: The said provisions shall not apply to any such foreign-built ship during the period of eighteen months from September 1, 1919, provided the Secretary of Commerce is satisfied in the case of any such ship that the ship is safe and seaworthy and that proper effort is being made to comply with the said provision.

WOODROW WILSON.

THE WHITE HOUSE,
8 August, 1919.

⁶⁰⁰ p. 237.

⁶⁰¹ See Executive Order of Aug. 7, 1913, p. 150, relating to aircraft operation in the Canal Zone, which has not been repealed.

⁶⁰² T. & A. 111.

Order of the President of November 24, 1919, relating to the Acquisition of Vessels of Hostile Nations.

WHEREAS the following Joint Resolution adopted by Congress was approved by the President May 12, 1917:⁶⁰³

"Joint Resolution Authorizing the President to take over for the United States the possession and title of any vessel within its jurisdiction, which at the time of coming therein was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war, or was under register of any such nation, and for other purposes.

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President be, and he is hereby, authorized to take over to the United States the immediate possession and title of any vessel within the jurisdiction thereof, including the Canal Zone and all territories and insular possessions of the United States except the American Virgin Islands, which at the time of coming into such jurisdiction was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war when such vessel shall be taken, or was flying the flag of or was under register of any such nation or any political subdivision or municipality thereof; and, through the United States Shipping Board, or any department or agency of the Government, to operate, lease, charter, and equip such vessel in any service of the United States, or in any commerce, foreign or coastwise.

"SEC. 2. That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint, subject to the approval of the President, a board of survey, whose duty it shall be to ascertain the actual value of the vessel, its equipment, appurtenances and all property contained therein, at the time of its taking, and to make a written report of their findings to the Secretary of the Navy, who shall preserve such report with the records of his department. These findings shall be considered as competent evidence in all proceedings on any claim for compensation."

AND WHEREAS from time to time during the period of the war, vessels which were at the time of coming into the jurisdiction of the United States owned in whole or in part by a corporation, citizen or subject of the Empire of Germany, a nation with which the United States is now at war, or vessels which were flying the flag or under the register of the Empire of Germany or of a political subdivision or municipality thereof, or of any nation with which the United States is at war, have been taken over and operated by the United States or in the service of the United States.⁶⁰⁴

NOW THEREFORE, the possession and title of the United States in all such vessels is taken over in accordance with Joint Resolution adopted by Congress and approved by the President May 12, 1917.

WOODROW WILSON.

THE WHITE HOUSE,
November 24, 1919.

[No. 3176.]

Amending Section 3 of the Executive Order of February 2, 1914, Providing Conditions of Employment for the Permanent Force for The Panama Canal.

By virtue of the authority vested in me by law, Section 3 of an Executive Order providing conditions of employment for the permanent force of the Panama Canal, issued February 2, 1914,⁶⁰⁵ is hereby amended so as to read as follows:

3. The compensation and conditions of employment of persons employed in the United States will be specified in the appointments. The compensation of such persons will begin upon date of embarkation at port of departure from the United States, and they will be granted free transportation from port of departure, including meals on the steamer, but no compensation or expenses for the journey to the port; but former employees from the United States whose services were terminated other than on account of reduction of force, and whose next preceding service with the Panama Canal was less than one year, shall be paid only from date of entry into the service on the Isthmus, and will be allowed only such reduced rates of transportation to the Isthmus as may be available for government employees. Employees appointed

⁶⁰³ T. & A. 154.

⁶⁰⁴ See Executive Order of June 30, 1917, p. 226, ordering the Shipping Board to take over certain vessels listed in that order.

⁶⁰⁵ p. 158.

at an hourly rate will be paid for the period of transit to the Isthmus on the basis of an eight-hour day exclusive of Sundays. Except in case of discharge or other separation from the service beyond the employee's control, payment of salary from date of embarkation to date of arrival on the Isthmus will not be made unless service on the Isthmus continues for thirty days.

This order shall take effect on and after this date.

WOODROW WILSON.

THE WHITE HOUSE,
25 November, 1919.

Order of the President of Dec. 22, 1919, establishing Quarry Heights Military Reservation.⁶⁶⁶

The area of land hereinafter described, to be known as QUARRY HEIGHTS RESERVATION, situated in the Canal Zone, is hereby set apart and assigned to the uses and purposes of a military reservation under the jurisdiction of the Secretary of War; but the said area shall be subject to the civil control and jurisdiction of the Governor of the Panama Canal, in conformity with the Panama Canal Act.

The boundaries of said reservation are described as follows:

The point of beginning is a brass plug in concrete monument #10; which is N. 1° 51' W., 711.4 feet, more or less, from Ancon triangulation station; the coordinates of Ancon station are Lat. 8°-57' plus 2572.76 feet, Long. 79°-33' plus 883.66 feet; thence,

1. S. 76°-06' E., 833 feet, more or less, to a brass plug in concrete monument #11; thence,

2. S. 12°-40' E., 500 feet, more or less, to a brass plug in concrete monument #1; thence,

3. S. 55°-39' E., 546 feet, more or less, to a copper plug in concrete monument #2; thence,

4. Along a line parallel with and 5.60 feet back from the curb line of the westerly side of Fourth of July Avenue, to a copper plug in concrete monument #3; direct bearing and distance, #2 to #3, S. 38°-19' W., 1369 feet, more or less; thence,

5. Along a line parallel with and 5.60 feet back from the curb line of the northerly side of the continuation of Fourth of July Avenue towards East Balboa, to monument #4, which is a copper plug set in the concrete roadway leading to the Truck Company barracks; direct bearing and distance, #3 to #4, S. 87°-03' W., 1080 feet, more or less; thence,

6. N. 74°-03' W., 505 feet, more or less, to a brass plug in concrete monument #5; thence,

7. N. 18°-09' E., 214 feet, more or less, to a brass plug in concrete monument #6; thence,

8. Along the contour of 150 feet elevation to a brass plug in concrete monument #7; direct bearing and distance, #6 to #7, N. 3°-27' W., 867 feet, more or less; thence,

9. Along the contour of 150 feet elevation to a brass plug in concrete monument #8; direct bearing and distance, #7 to #8, N. 48°-21' W., 569 feet, more or less; thence,

10. Along the contour of 150 feet elevation to a brass plug in concrete monument #9; direct bearing and distance, #8 to #9, N. 39°-36' E., 971 feet, more or less; thence,

11. S. 75°-58' E., 861 feet, more or less, to the point of beginning.

All bearings refer to the true meridian.

WOODROW WILSON.

THE WHITE HOUSE,
22 December, 1919.

Order of the President of Dec. 22, 1919, establishing the Fort William D. Davis Military Reservation.

The area of land hereinafter described, to be known as Fort William D. Davis Reservation, consisting of two parcels, situated in the Canal Zone, is hereby set apart and assigned to the uses and purposes of a military reservation, under the jurisdiction of the Secretary of War; but said area shall be subject to the civil control and jurisdiction of the Governor of the Panama Canal in conformity with the Panama Canal Act.

⁶⁶⁶ See Executive Order of Apr. 8, 1921, p. 283, defining an addition to the limits of this reservation.

The boundaries of said reservation are described as follows:

The boundary of the first parcel (east of the Panama Railroad) begins at a copper plug, set in the east curb of the New Gatun road, 100 feet easterly from center line of the Panama Railroad, the coordinates of whose position are Lat. $9^{\circ}-16'$ plus 4519.0 feet, Long. $79^{\circ}-55'$ plus 207.7 feet; thence,

1. Northeasterly along a road to an iron rail monument, at intersection of two roads, in Lat. $9^{\circ}-16'$ plus 4661.3 feet, Long. $79^{\circ}-54'$ plus 5819.2 feet; thence,

2. N. $20^{\circ}-25'$ W., 232.4 feet, along a road to a $1\frac{1}{2}''$ g. i. pipe monument, in Lat. $9^{\circ}-16'$ plus 4879.0 feet, Long. $79^{\circ}-54'$ plus 5900.3 feet; thence,

3. Northeasterly along a road to a $1\frac{1}{2}''$ g. i. pipe monument, on west side of road, in Lat. $9^{\circ}-16'$ plus 5028.0 feet, Long. $79^{\circ}-54'$ plus 5522.0 feet; thence,

4. Easterly along a line parallel with and 100 feet northerly from spur track to Agua Clara Reservoir to a $1\frac{1}{2}''$ g. i. pipe monument, at intersection with Agua Clara boundary, in Lat. $9^{\circ}-16'$ plus 4733.5 feet, Long. $79^{\circ}-54'$ plus 4806.6 feet; thence,

5. N. $49^{\circ}-54'$ E., 2044.0 feet along Agua Clara Reservoir boundary to a monument, in Lat. $9^{\circ}-17'$ plus 2.6 feet, Long. $79^{\circ}-54'$ plus 3243.1 feet; thence,

6. N. $50^{\circ}-41'$ E., 542.6 feet, to a monument, on the boundary of Agua Clara Reservoir, in Lat. $9^{\circ}-17'$ plus 356.4 feet, Long. $79^{\circ}-54'$ plus 2823.2 feet; thence,

7. S. $87^{\circ}-57'$ E., 2517.8 feet, to a monument, on the boundary of Agua Clara Reservoir, in Lat. $9^{\circ}-17'$ plus 266.2 feet, Long. $79^{\circ}-54'$ plus 307.0 feet; thence,

8. S. $87^{\circ}-10'$ E., 1873.3 feet, to a monument, on the boundary of Agua Clara Reservoir, in Lat. $9^{\circ}-17'$ plus 173.6 feet, Long. $79^{\circ}-53'$ plus 4443.9 feet; thence,

9. S. $87^{\circ}-48'$ E., 719.8 feet, to a monument, on the boundary of Agua Clara Reservoir, in Lat. $9^{\circ}-17'$ plus 146.0 feet, Long. $79^{\circ}-53'$ plus 3724.6 feet; thence,

10. S. $87^{\circ}-38'$ E., 478.9 feet, to a monument, on the boundary of Agua Clara Reservoir, in Lat. $9^{\circ}-17'$ plus 126.2 feet, Long. $79^{\circ}-53'$ plus 3246.1 feet; thence,

11. S. $87^{\circ}-25'$ E., 1394.0 feet, to a $1\frac{1}{2}''$ g. i. pipe monument, 100 feet west of Panama Railroad track and opposite transmission tower 10-5, in Lat. $9^{\circ}-17'$ plus 63.2 feet, Long. $79^{\circ}-53'$ plus 1853.5 feet; thence,

12. Northerly and easterly along a line parallel with and 100 feet distant from Panama Railroad track, to the shore of Gatun Lake; thence,

13. Northerly along the shore of said lake to a $1\frac{1}{2}''$ g. i. pipe monument, in Lat. $9^{\circ}-17'$ plus 4789.3 feet, Long. $79^{\circ}-52'$ plus 4765.5 feet; thence,

14. N. $89^{\circ}-57'$ W., 1377.2 feet, to a $1\frac{1}{2}''$ g. i. pipe monument, cemented into rock bottom of small stream, in Lat. $9^{\circ}-17'$ plus 4790.6 feet, Long. $79^{\circ}-53'$ plus 135.1 feet; thence,

15. S. $89^{\circ}-58'$ W., 1388.8 feet, to a $1\frac{1}{2}''$ g. i. pipe monument, on the west bank of a small stream, in Lat. $9^{\circ}-17'$ plus 4789.7 feet, Long. $79^{\circ}-53'$ plus 1523.9 feet; thence,

16. S. $89^{\circ}-56'$ W., 518.1 feet, to a $1\frac{1}{2}''$ g. i. pipe monument, on a hill, in Lat. $9^{\circ}-17'$ plus 4789.1 feet, Long. $79^{\circ}-53'$ plus 2042.0 feet; thence,

17. S. $89^{\circ}-53'$ W., 553.9 feet, to a $1\frac{1}{2}''$ g. i. pipe monument, on a hill, in Lat. $9^{\circ}-17'$ plus 4788.0 feet, Long. $79^{\circ}-53'$ plus 2595.9 feet; thence,

18. S. $89^{\circ}-10'$ W., 301.3 feet, to a $1\frac{1}{2}''$ g. i. pipe monument, in Lat. $9^{\circ}-17'$ plus 4783.2 feet, Long. $79^{\circ}-53'$ plus 2897.2 feet; thence,

19. S. $75^{\circ}-05'$ W., 4760.8 feet, to a $1\frac{1}{2}''$ g. i. pipe monument, on a hill, in Lat. $9^{\circ}-17'$ plus 3557.3 feet, Long. $79^{\circ}-54'$ plus 1489.9 feet; thence,

20. S. $75^{\circ}-05'$ W., 728.6 feet, to a bolt, in center of a concrete bridge on old Gatun road, in Lat. $9^{\circ}-17'$ plus 3370.0 feet, Long. $79^{\circ}-54'$ plus 2193.9 feet; thence,

21. Due west, 410.8 feet, to a $1\frac{1}{2}''$ g. i. pipe monument, on north side of old Gatun road, in Lat. $9^{\circ}-17'$ plus 3370.0 feet, Long. $79^{\circ}-54'$ plus 2604.7 feet; thence,

22. Due west, 1291.3 feet, to a brass plug, set in new concrete road one foot from west edge, in Lat. $9^{\circ}-17'$ plus 3370.0 feet, Long. $79^{\circ}-54'$ plus 3896.0 feet; thence,

23. N. $30^{\circ}-26'$ W., 2074.1 feet, to a $1\frac{1}{2}''$ g. i. pipe monument, on the northeasterly end of the north levee of the Mindi hydraulic fill, in Lat. $9^{\circ}-17'$ plus 5158.3 feet, Long. $79^{\circ}-54'$ plus 4946.6 feet; thence,

24. Southwesterly along said levee to a $1\frac{1}{2}''$ g. i. pipe monument, on southwesterly end of the levee and 100 feet from center line of Panama Railroad track at transmission bridge, 4-16, in Lat. $9^{\circ}-17'$ plus 4290.5 feet, Long. $79^{\circ}-55'$ plus 531.6 feet; thence,

25. Southerly along a line parallel with and 100 feet easterly from center line of Panama Railroad track to the point of beginning.

All pipe monuments are painted white and stenciled in black "Mil. Res." where the boundary lines intersect the sides of the pipe.

The boundary of the second parcel (west of the Panama Railroad) begins at a $1\frac{1}{2}''$ g. i. pipe monument on the north side of the New Gatun road and 100 feet westerly from center line of the Panama Railroad, in Lat. $9^{\circ}-16'$ plus 4596.2 feet, Long. $79^{\circ}-55'$ plus 395.3 feet; thence,

1. Northerly along a line parallel with and 100 feet westerly from center line of Panama Railroad track to a $1\frac{1}{2}$ " g. i. pipe monument, in Lat. $9^{\circ}-17'$ plus 4290.5 feet, Long. $79^{\circ}-55'$ plus 731.6 feet; thence,

2. N. $85^{\circ}-58'$ W., 1000.5 feet, to a $1\frac{1}{2}$ " g. i. pipe monument, 500 feet east of the center line of the Canal, on a ridge, in Lat. $9^{\circ}-17'$ plus 4360.9 feet, Long. $79^{\circ}-55'$ plus 1729.7 feet; thence,

3. To the Canal bank opposite Canal Station 308 plus 10; thence,

4. Southerly along the Canal to a point opposite the next monument; thence,

5. Easterly to a $1\frac{1}{2}$ " g. i. pipe monument, 125 feet east of the bank of the Canal, in Lat. $9^{\circ}-17'$ plus 1290.6 feet, Long. $79^{\circ}-55'$ plus 2205.9 feet (said monument being 1390 feet north of the north end of the north approach wall of Gatun locks); thence,

6. N. $89^{\circ}-41'$ E., 537.7 feet, to a $1\frac{1}{2}$ " g. i. pipe monument, in Lat. $9^{\circ}-17'$ plus 1293.6 feet, Long. $79^{\circ}-55'$ plus 1668.2 feet; thence,

7. S. $12^{\circ}-10'$ E., 2705.4 feet, to a bolt, set in concrete platform of an oil tank, in Lat. $9^{\circ}-16'$ plus 4696.5 feet, Long. $79^{\circ}-55'$ plus 1098.0 feet; thence,

8. Following the road (direct course and distance S. $87^{\circ}-02'$ E., 533.4 feet) to a $1\frac{1}{2}$ " g. i. pipe monument, in Lat. $9^{\circ}-16'$ plus 4668.9 feet, Long. $79^{\circ}-55'$ plus 565.6 feet; thence,

9. Following the road (direct course and distance S. $66^{\circ}-54'$ E., 185.3 feet) to the point of beginning.

All pipe monuments are painted white.

All bearings refer to the true meridian.

No structure shall be constructed by the military authorities within two hundred (200) feet of the present banks of the Canal.

The transfer of the Fort William D. Davis Reservation is made, subject to the continued right of the Supply Department of the Panama Canal to use areas not contiguous to barracks or quarters for pasturage of cattle for the supply of beef to the Canal Zone; the pasturage areas, however, to be available for use by the troops when required for military maneuvers or for target practice.

WOODROW WILSON.

THE WHITE HOUSE,
22 December, 1919.

Order of the President of Dec. 30, 1919, Establishing Military Reservations at Fort Clayton, the Panama Arsenal, the Engineer Depot, and the Post of Corozal.

The area of land hereinafter described, situated in the Canal Zone, consisting of two parcels, which include FORT CLAYTON, THE PANAMA ARSENAL, THE ENGINEER DEPOT, and the POST OF COROZAL, is hereby set apart and assigned to the uses and purposes of a military reservation under the jurisdiction of the Secretary of War, but said area shall be subject to the civil control and jurisdiction of the Governor of the Panama Canal, in conformity with the Panama Canal Act.

The boundaries of said reservation are described as follows:

The boundary of the first parcel begins at a $1\frac{1}{2}$ " galvanized iron pipe monument, on the Canal Zone boundary line between monuments No. 88 and No. 89, the coordinates of whose position are Lat. $9^{\circ}-01'$ plus 6040.5 feet, Long. $79^{\circ}-31'$ plus 3587.5 feet; thence,

1. N. $89^{\circ}-57'$ W., 215.4 feet to a $1\frac{1}{2}$ " g. i. pipe monument, on the west side of a trail, in Lat. $9^{\circ}-01'$ plus 6040.7 feet, Long. $79^{\circ}-31'$ plus 3802.9 feet; thence,

2. N. $89^{\circ}-57'$ W., 251.5 feet, to a $1\frac{1}{2}$ " g. i. pipe monument, on the east bank of a branch of the Rio Abajo, in Lat. $9^{\circ}-01'$ plus 6041.0 feet, Long. $79^{\circ}-31'$ plus 4054.4 feet; thence,

3. N. $89^{\circ}-57'$ W., 1265.7 feet, to a $1\frac{1}{2}$ " g. i. pipe monument, on the east side of the Porto Bello trail, in Lat. $9^{\circ}-01'$ plus 6042.1 feet, Long. $79^{\circ}-31'$ plus 5320.1 feet; thence,

4. N. $89^{\circ}-57'$ W., 838.4 feet, to a $1\frac{1}{2}$ " g. i. pipe monument, on the east side of the Macambo trail, in Lat. $9^{\circ}-01'$ plus 6042.8 feet, Long. $79^{\circ}-32'$ plus 146.1 feet; thence,

5. N. $89^{\circ}-57'$ W., 2051.4 feet, to a $1\frac{1}{2}$ " g. i. pipe monument, on a ridge in Lat. $9^{\circ}-01'$ plus 6044.5 feet, Long. $79^{\circ}-32'$ plus 2197.5 feet; thence,

6. N. $89^{\circ}-57'$ W., 2946.1 feet, to a concrete monument, on a high hill, in Lat. $9^{\circ}-01'$ plus 6047.0 feet, Long. $79^{\circ}-32'$ plus 5143.6 feet; thence,

7. N. $89^{\circ}-57'$ W., 2509.1 feet, to a $1\frac{1}{2}$ " g. i. pipe monument, on a hill, in Lat. $9^{\circ}-02'$ plus 1.7 feet, Long. $79^{\circ}-33'$ plus 1640.6 feet; thence,

8. N. $89^{\circ}-57'$ W., 1363.1 feet, to a $1\frac{1}{2}$ " g. i. pipe monument, on a hill, in Lat. $9^{\circ}-02'$ plus 2.8 feet, Long. $79^{\circ}-33'$ plus 3003.7 feet; thence,

9. N. 89°-57' W., 1267.7 feet, to a 1½" g. i. pipe monument, on the east side of a trail running along the east bank of the Rio Cardenas, in Lat. 9°-02' plus 3.9 feet, Long. 79°-33' plus 4271.4 feet; thence,
10. N. 89°-57' W., 200.5 feet, to a concrete monument, on the west bank of the Rio Cardenas, in Lat. 9°-02' plus 4.0 feet, Long. 79°-33' plus 4471.9 feet; thence,
11. N. 89°-57' W., 392.6 feet, to a 1½" g. i. pipe monument, on a hill, in Lat. 9°-02' plus 4.4 feet, Long. 79°-33' plus 4864.5 feet; thence,
12. N. 89°-57' W., 1255.2 feet, to a 1½" g. i. pipe monument, in Lat. 9°-02' plus 5.5 feet, Long. 79°-34' plus 107.6 feet; thence,
13. N. 89°-57' W., 172.8 feet, to a 1½" g. i. pipe monument, in Lat. 9°-02' plus 5.6 feet, Long. 79°-34' plus 280.4 feet; thence,
14. N. 89°-57' W., 1222.2 feet, to a 1½" g. i. pipe monument, concreted into the rock bed of a branch of the Rio Guanabano, in Lat. 9°-02' plus 6.6 feet, Long. 79°-54' plus 1502.6 feet; thence,
15. N. 89°-57' W., 885.8 feet, to a 1½" g. i. pipe monument, on a rocky hill, in Lat. 9°-02' plus 7.3 feet, Long. 79°-34' plus 2388.4 feet; thence,
16. N. 89°-57' W., 2139.5 feet, to a concrete monument, on the west bank of the Rio Guanabano, in Lat. 9°-02' plus 9.1 feet, Long. 79°-34' plus 4527.9 feet; thence,
17. N. 89°-57' W., 1014.4 feet, to a 1½" g. i. pipe monument, on the west side of the Cruces trail, in Lat. 9°-02' plus 9.9 feet, Long. 79°-34' plus 5542.3 feet; thence,
18. N. 89°-57' W., 1417.8 feet, to a 1½" g. i. pipe monument, on the west side of a military trail, in Lat. 9°-02' plus 11.1 feet, Long. 79°-35' plus 948.0 feet; thence,
19. N. 89°-57' W., 965.0 feet, to a concrete monument, on the east bank of the Rio Cameron, in Lat. 9°-02' plus 11.9 feet, Long. 79°-35' plus 1913.0 feet; thence,
20. N. 89°-57' W., 2384.9 feet, to a 1½" g. i. pipe monument, on the nose of a high hill, in Lat. 9°-02' plus 13.8 feet, Long. 79°-35' plus 4297.9 feet; thence,
21. N. 89°-57' W., 1634.1 feet, to a 1½" g. i. pipe monument, on a hill, in Lat. 9°-02' plus 15.2 feet, Long. 79°-35' plus 5932.0 feet; thence,
22. N. 89°-57' W., 796.5 feet, to a 1½" g. i. pipe monument, on the east bank of the Rio Caimitillo, in Lat. 9°-02' plus 15.9 feet, Long. 79°-36' plus 716.4 feet; thence,
23. Southerly along center line of the Rio Caimitillo and the center line of an arm of Miraflores Lake, to a copper plug, set in the north curb of the Pedro Miguel-Corozal road, in Lat. 9°-00' plus 5429.6 feet, Long. 79°-36' plus 219.8 feet; thence,
24. Southeasterly along this curb of the Pedro Miguel-Corozal road to a copper plug, in the east curb of the road nearly opposite transmission bridge 42.8 at Miraflores railroad station, in Lat. 9°-00' plus 1504.4 feet, Long. 79°-35' plus 2713.5 feet; thence,
25. S. 35°-38' E., 47.3 feet, along a 100-foot offset line from the center line between main track of the Panama Railroad, to a copper plug, in the westerly curb of the Pedro Miguel-Corozal road, in Lat. 9°-00' plus 1465.9 feet, Long. 79°-35' plus 2685.9 feet; thence,
26. Southerly along a line parallel with and 100 feet easterly from the center line between main tracks of the Panama Railroad to a 1½" g. i. pipe monument, on the boundary of the Corozal Hospital Farm, in Lat. 8°-59' plus 2459.3 feet, Long. 79°-34' plus 5080.9 feet; thence,
27. N. 47°-14' E., 746.5 feet, to the Corozal Hospital Farm Monument No. 10, in Lat. 8°-59' plus 2966.2 feet, Long. 79°-34' plus 4532.8 feet; thence,
28. N. 47°-14' E., 500.9 feet, to concrete monument No. 9 of the Hospital Farm, on west side of the old Corozal road, in Lat. 8°-59' plus 3306.3 feet, Long. 79°-34' plus 4165.1 feet; thence,
29. N. 47°-14' E., 41.1 feet, to concrete monument No. 8 of the Hospital Farm, on east side of the old Corozal road, in Lat. 8°-59' plus 3334.2 feet, Long. 79°-34' plus 4134.9 feet; thence,
30. Northerly along the east edge of the old Corozal road to a copper plug, set in the southeast corner of a concrete bridge over the Rio Cardenas, in Lat. 9°-00' plus 212.8 feet, Long. 79°-34' plus 3425.2 feet; thence,
31. S. 43°-32' E., 1666.3 feet, to concrete monument No. 7 of the Hospital Farm, on a high hill, in Lat. 8°-59' plus 5052.0 feet, Long. 79°-34' plus 2277.6 feet; thence,
32. S. 74°-28' E., 1297.6 feet, to a 1½" g. i. pipe monument, on a hill, in Lat. 8°-59' plus 4704.5 feet, Long. 79°-34' plus 1027.4 feet; thence,
33. S. 8°-31' E., 2777.0 feet, to a stone slab monument, on Cerro Corozal, No. 4 of the Hospital Farm, in Lat. 8°-59' plus 1958.1 feet, Long. 79°-34' plus 616.2 feet; thence,
34. S. 47°-14' W., 1453.7 feet, to a concrete monument, "I. C. C." of the Hospital Farm, in Lat. 8°-59' plus 971.3 feet, Long. 79°-34' plus 1683.7 feet; thence,
35. S. 85°-31' W., 450.7 feet, to a 1½" g. i. pipe monument, in Lat. 8°-59' plus 936.1 feet, Long. 79°-34' plus 2133.0 feet; thence,

36. N. 80°-42' W., 546.6 feet, along a wire fence to a 1½" g. i. pipe monument, in Lat. 8°-59' plus 1024.4 feet, Long. 79°-34' plus 2672.4 feet; thence,

37. S. 23°-11' W., 357.3 feet, along a hedge, to a point, at bend of hedge, in Lat. 8°-59' plus 693.4 feet, Long. 79°-34' plus 2813.1 feet; thence,

38. S. 47°-40' W., 151.1 feet, along a hedge, to a 1½" g. i. pipe monument, on easterly edge of road in front of chapel, in Lat. 8°-59' plus 591.6 feet, Long. 79°-34' plus 2924.8 feet; thence,

39. N. 21°-04' W., 121.7 feet, to a 1½" g. i. pipe monument, on west side of road to Hospital Farm, in Lat. 8°-59' plus 705.2 feet, Long. 79°-34' plus 2968.5 feet; thence, 40. N. 58°-29' W., 258.0 feet, along a hedge, to a 1½" g. i. pipe monument, on west side of the old Corozal road, in Lat. 8°-59' plus 840.1 feet, Long. 79°-34' plus 3188.5 feet; thence,

41. S. 35°-00' W., 202 feet, to a 1½" g. i. pipe monument, in Lat. 8°-59' plus 674.5 feet, Long. 79°-34' plus 3304.4 feet; thence,

42. N. 44°-06' W., 550 feet, along northeast curb of the Pedro Miguel-Corozal road, to a copper plug, in curb, in Lat. 8°-59' plus 1069.5 feet, Long. 79°-34' plus 3687.2 feet; thence,

43. S. 37°-27' W., 192.9 feet, to a 1½" g. i. pipe monument, in Lat. 8°-59' plus 916.4 feet, Long. 79°-34' plus 3804.5 feet; thence,

44. Southeasterly along a line parallel with and 100 feet northeasterly from the center line between main track of the Panama Railroad, to a 1½" g. i. pipe monument, at north corner of Army Commissary, in Lat. 8°-59' plus 505.8 feet, Long. 79°-34' plus 3250.7 feet; thence,

45. S. 39°-54' W., 70 feet, to a 1½" g. i. pipe monument, at west corner of Army Commissary, in Lat. 8°-59' plus 452.8 feet, Long. 79°-34' plus 3295.6 feet; thence,

46. S. 51°-18' E., 269 feet, along a line parallel with and 30 feet distant from the center line between main tracks of the Panama Railroad, to a 1½" g. i. pipe monument, in Lat. 8°-59' plus 284.6 feet, Long. 79°-34' plus 3085.7 feet; thence,

47. N. 40°-10' E., 70 feet, to a 1½" pipe monument, on easterly side of Corozal road in Lat. 8°-59' plus 338.1 feet, Long. 79°-34' plus 3040.5 feet; thence,

48. Southerly along a line parallel with and 100 feet easterly from the center line between main tracks of the Panama Railroad, to a copper plug, set in south curb on concrete road to Engineer Supply Depot, in Lat. 8°-58' plus 4637.4 feet, Long. 79°-34' plus 1774.6 feet; thence,

49. S. 17°-19' E., 175.1 feet, to a 1½" g. i. pipe monument, in front of Signal Corps Supply Depot, in Lat. 8°-58' plus 4,470.2 feet, Long. 79°-34' plus 1722.5 feet; thence,

50. S. 37°-34' E., 574.1 feet, to a 1½" g. i. pipe monument, at north side of corral, in Lat. 8°-58' plus 4015.1 feet, Long. 79°-34' plus 1372.5 feet; thence,

51. Southerly along a line parallel with and 100 feet easterly from the center line between main tracks of the Panama Railroad to a 1½" g. i. pipe monument, opposite transmission bridge 45-2, in Lat. 8°-58' plus 2213.8 feet, Long. 79°-34' plus 210.5 feet; thence,

52. Southeasterly along a line parallel with and 15 feet northeasterly from the Miraflores-Balboa water mains to a 2" g. i. pipe monument, in Lat. 8°-57' plus 5043.3 feet, Long. 79°-33' plus 3364.3 feet; thence,

53. N. 40°-00' E., 2209.3 feet, along a line parallel with and 500 feet northwesterly from center line between main tracks of the Panama Railroad, to a 1½" g. i. pipe monument, in Lat. 8°-58' plus 688.3 feet, Long. 79°-33' plus 1944.2 feet; thence,

54. N. 89°-24' E., 1203.1 feet, along a line parallel with and 500 feet northerly from center line between main tracks of the Panama Railroad, to a copper plug, set in concrete closed conduit over the Rio Corundu, in Lat. 8°-58' plus 700.9 feet, Long. 79°-33' plus 739.2 feet; thence,

55. Northerly along the Rio Corundu and the Canal Zone boundary to the point of beginning.

The boundary of the second parcel begins at channel light No. 10 on east bank of Panama Canal near P. K. 2094 plus 98.2; thence,

1. N. 64°-40' E., 670.1 feet, to a 1½" g. i. pipe monument, 6 feet southwesterly from southwesterly rail of track to Miraflores Locks at southeasterly end of trestle over Rio Grande Diversion, in Lat. 8°-59' plus 2350.6 feet, Long. 79°-34' plus 5890.1 feet; thence,

2. S. 54°-10' E., 668.5 feet, along railroad embankment to a 1½" g. i. pipe monument, 6 feet southwesterly from southwesterly rail at northwesterly end of passing track, in Lat. 8°-59' plus 1959.2 feet, Long. 79°-34' plus 5348.1 feet; thence,

3. S. 49°-51' E., 1289.6 feet, along railroad embankment to a 1½" g. i. pipe monument, 6 feet southwesterly from southwesterly rail of spur to lock machinery storage platform in Lat. 8°-59' plus 1127.7 feet, Long. 79°-34' plus 4362.4 feet; thence,

4. S. 23°-52' E., 351.9 feet to a copper plug, set in northwest corner of the above described concrete platform, in Lat. 8°-59' plus 805.9 feet, Long. 79°-34' plus 4220.0 feet; thence,

5. By a curve along west edge of the above described concrete platform to a copper plug set in southwest corner of platform, in Lat. 8°-59' plus 521.4 feet, Long. 79°-34' plus 4021.8 feet; thence,

6. N. 39°-43' E., 301.9 feet to a 1½" g. i. pipe monument, at bottom of railroad cut at transmission bridge 43-18, in Lat. 8°-59' plus 753.6 feet, Long. 79°-34' plus 3828.8 feet; thence,

7. Southeasterly along a line parallel with and 45 feet southwesterly from center line between main tracks of the Panama Railroad to a 1½" g. i. pipe monument, near spur to Ordnance Depot, in Lat. 8°-58' plus 5852.3 feet, Long. 79°-34' plus 2740.7 feet; thence,

8. S. 22°-13' E., 260.7 feet, to a 1½" g. i. pipe monument, in fork between two drainage ditches, in Lat. 8°-58' plus 5610.9 feet, Long. 79°-34' plus 2642.1 feet; thence;

9. S. 32°-53' E., 820.3 feet, along a line parallel with and 100 feet westerly from center line between main tracks of the Panama Railroad, to a 1½" g. i. pipe monument, in Lat. 8°-58' plus 4922.0 feet, Long. 79°-34' plus 2196.7 feet; thence,

10. N. 57°-13' E., 62.7 feet, to concrete monument No. 7 on the old Engineer Depot reservation, in Lat. 8°-58' plus 4955.9 feet, Long. 79°-34' plus 2143.9 feet; thence,

11. S. 32°-45' E., 501.0 feet, to concrete monument No. 1 of the Engineer Depot Reservation, in Lat. 8°-58' plus 4534.5 feet, Long. 79°-34' plus 1872.9 feet; thence,

12. S. 32°-45' E., 576 feet, to concrete monument No. 2 of the Engineer Depot reservation, in Lat. 8°-58' plus 4050.1 feet, Long. 79°-34' plus 1561.3 feet; thence,

13. S. 32°-45' E., 196.9 feet, to a 1½" g. i. pipe monument, in Lat. 8°-58' plus 3884.5 feet, Long. 79°-34' plus 1454.8 feet; thence,

14. Due west to the east bank of the Panama Canal; thence,

15. Northerly along the east bank of the Panama Canal to the point of beginning. All bearings refer to the true meridian.

All pipe monuments are painted white and stenciled in black "Mil. Res." where the boundary lines intersect the sides of the pipe.

No structure shall be constructed by the military authorities within two hundred (200) feet of the present banks of the Canal.

The transfer of the reservation including Fort Clayton, The Panama Arsenal, The Engineer Depot, and the Post of Corozal is made subject to the continued right of the Supply Department of the Panama Canal to use areas not contiguous to barracks or quarters for pasturage of cattle for the supply of beef to the Canal Zone, the pasturage areas, however, to be available for use by the troops when required for military maneuvers or for target practice.

WOODROW WILSON.

THE WHITE HOUSE,
30 December, 1919.

Establishing Regulations for the Canal Zone Relative to the Sale, Possession, and Disposition of Liquors for Sacramental, Scientific, Industrial, Pharmaceutical, and Medicinal Purposes.

By virtue of the authority vested in me by Section 20 of the Act of Congress entitled "An Act To prohibit intoxicating beverages, and to regulate the manufacture, production, use and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries," effective October 28, 1919,⁶⁶⁷ I hereby establish the following regulations for the Canal Zone.

SECTION 1. The Chief Health Officer of The Panama Canal, under the direction of the Governor of The Panama Canal, is hereby authorized and directed to administer the regulations established hereunder, and he may designate one or more assistants to aid him in the performance of his duties, who shall exercise such powers as the Chief Health Officer may delegate to them from time to time.

SECTION 2. In conformity with Section 1, Title II, of the above-mentioned Act of Congress, the word "liquor" when used in these regulations, shall be construed to include alcohol, brandy, whiskey, rum, gin, beer, ale, porter and wine, and in addition thereto any spirituous, vinous, malt, or fermented liquors, liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing one-half of one per cent or more of alcohol by volume, which are fit for

⁶⁶⁷ T. & A. 214.

use for beverage purposes: *Provided*, That the foregoing definition shall not extend to dealcoholized wine or to any beverage or liquid produced by the process by which beer, ale, porter or wine is produced, if it contain less than one-half of one per cent of alcohol by volume, and is otherwise denominated than as beer, ale, or porter.

In conformity with Section 1, Title III, of the above-mentioned Act of Congress, the term "alcohol" means that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, from whatever source or whatever processes produced.

SECTION 3. No liquors for sacramental purposes shall be imported into the Canal Zone or possessed, used, or disposed of therein for that purpose except upon the written permit of the Chief Health Officer or his duly authorized assistant. The permit shall not be issued except upon a written application of a priest or other minister of the gospel, rabbi, or official of any religious sect residing within the Canal Zone. The application shall be dated, shall state the name of the applicant in full, his official position, his church or institution, and where it is located, and that he desires to import into the Canal Zone and use the liquors described in the application for sacramental purposes only, giving the quantity thereof, where he is to obtain the same, and how it is to be transported into the Canal Zone. The application shall state that the liquor applied for will be necessary to cover the sacramental use thereof by the applicant's church or congregation for a period of days to be stated in the application, and that he will undertake to the best of his ability to see that none of the liquor applied for shall be used for other than sacramental uses; and he shall also state the quantity, approximately, of any liquor he then has on hand for sacramental purposes. The application shall be signed by the applicant, and shall state his address for shipment purposes.

If, in the opinion of the Chief Health Officer, the application should be granted, he will endorse his approval thereon and sign the same officially and deliver it to the applicant; and the Chief Health Officer shall keep a record of each permit issued by him or his assistants.

SECTION 4. No physician in the Canal Zone not employed by the Health Department of the Canal, the Army, Navy, or Public Health Service of the United States, shall be authorized to prescribe liquor to any patient unless the physician holds a permit issued by the Chief Health Officer of The Panama Canal; and all such permits shall be in writing, giving the date of issue, the name and address of the person to whom it was issued and shall designate and limit the acts which are permitted, and the time and place where such acts may be performed. The permit shall be signed by the Chief Health Officer or his authorized assistant, and shall be delivered to the applicant; and the Chief Health Officer shall keep a record of each permit so issued by him or his assistant. No permit shall be required under this section from a physician in the employ of The Panama Canal, the Army, Navy, or Public Health Service of the United States.

SECTION 5. No one but a physician, authorized to do so under the preceding section, shall be permitted to prescribe liquors for medicinal purposes in the Canal Zone, and no liquors shall be so prescribed except after careful physical examination of the person for whose use such prescription is sought, or if such examination is found impracticable, then only when upon the best information obtainable the physician believes that the issue of such liquor to such person is necessary and will afford him relief from some known ailment. A prescription issued bona fide under these regulations shall authorize the person named in the same to use and possess the liquor described in the prescription, and in the quantity and for the time therein stated.

SECTION 6. No prescription issued by a physician not a resident of the Canal Zone shall authorize the introduction into the Canal Zone, or the use or possession therein, of any liquor, unless such prescription shall have been approved by the Chief Health Officer or one of his assistants.

SECTION 7. No druggist or pharmacist not in the employ of the Health Department of The Panama Canal or the Army, Navy, or Public Health Service of the United States, shall be authorized to issue liquors upon a physician's prescription, unless such druggist or pharmacist holds a written permit from the Chief Health Officer or one of his duly authorized assistants, and then only in the form and manner authorized by such written permit. No permit shall be required under this section from a druggist or pharmacist in the employ of The Panama Canal, or the Army, Navy, or Public Health Service of the United States.

SECTION 8. No liquors obtained outside of the Canal Zone shall be permitted to enter the Canal Zone, or to be possessed or used therein for sacramental, pharmaceutical, medicinal, industrial or scientific purposes except with the approval of the Chief Health Officer or his assistants and such approval shall not be given unless such officer is satisfied that the liquor is intended to be used for the purposes enumerated in this section, and in conformity with the law and the regulations.

SECTION 9. No liquor shall be manufactured for sacramental, medicinal, pharmaceutical, scientific, or industrial purposes, except in the laboratories of The Panama Canal; and no liquors shall be used for sacramental, medicinal, or pharmaceutical purposes except in the manner hereinbefore described; and no liquors shall be used for scientific or industrial purposes except upon authorization of the Chief Health Officer. The Chief Health Officer is hereby authorized and directed to issue, from time to time, such instructions as are not inconsistent with law, for the manufacture and use of liquors under these regulations.

SECTION 10. The articles enumerated in this section, after having been manufactured and prepared for market, shall not be subject to the provisions of these regulations, if they correspond with the following descriptions and limitations, viz:

(a) Denatured alcohol or denatured rum produced and used as provided by the laws and regulations of the United States, now or hereafter in force.

(b) Medicinal preparations manufactured in accordance with formulas prescribed by the United States Pharmacopeia, National Formulary, or the American Institute of Homeopathy that are unfit for use for beverage purposes.

(c) Patented, patent, and proprietary medicines that are unfit for use for beverage purposes.

(d) Toilet, medicinal, and antiseptic preparations and solutions that are unfit for use for beverage purposes.

(e) Flavoring extracts and sirups, that are unfit for use as a beverage, or for intoxicating beverage purposes.

(f) Vinegar and preserved sweet cider.

The manufacture and preparation of such said articles, however, shall be subject to such conditions as the Chief Health Officer may impose.

SECTION 11. The Chief Health Officer may from time to time require any and all persons having in their possession any liquor for sacramental, medicinal, pharmaceutical, scientific, or industrial purposes, to submit a statement to him showing the amount of such liquor in their possession; and he is hereby authorized to issue from time to time such instructions as he may deem necessary to fully carry out these regulations, including instructions regarding the use of liquors by veterinarians employed by The Panama Canal and other departments of the Government of the United States.

SECTION 12. Each and every violation of any of the provisions of these regulations shall be punished by a fine of not more than \$1,000 and imprisonment of not exceeding six months for a first offense, and by a fine of not less than \$200 or more than \$2,000 and imprisonment of not less than one month nor more than five years for a second and subsequent offense, to be imposed by the District Court of the Canal Zone.

SECTION 13. These regulations shall be effective from and after this date.

WOODROW WILSON.

THE WHITE HOUSE,
7 January, 1920.

An Executive Order Concerning Costs and Security for Costs in the District Court and the Magistrates' Courts in the Panama Canal Zone.

By virtue of the authority vested in me by "An Act to provide for the opening, maintenance, protection and operation of The Panama Canal, and the sanitation and government of the Canal Zone," approved August 24, 1912,⁶⁰⁸ known as the "Panama Canal Act," I hereby establish and prescribe the following rules of practice to govern the District Court and the Magistrates' Court in the Panama Canal Zone.*

Section I. Each party to any civil suit instituted in the District Court or any Magistrate court of the Canal Zone shall be responsible for the costs incurred by him in such suit, and the marshal, constable or other officer, authorized to execute any process in such cases, shall not execute the same unless the fees allowed by law for the service of such process, shall be paid in advance by the party seeking such process, unless such party to the suit is entitled to prosecute the same in forma pauperis, as hereinafter provided.

Section II. The plaintiff in every civil case in the District Court shall deposit with the clerk thereof a docket fee of ten dollars in cash and every plaintiff instituting a suit in the Magistrate courts shall deposit a docket fee in said court of five dollars; and the suit shall not be filed by the clerk or the magistrate unless the said docket fee is paid in the manner herein provided. The monies to be deposited shall be applied to the payment of costs as they accrue.

⁶⁰⁸ T. & A. 79, secs. 7 and 8.

* See Rules of Practice and Procedure, p. 294.

Section III. Any party to a civil case in the District Court, who demands a trial by jury, shall accompany said demand with a deposit of ten dollars as a jury fee; and unless such deposit is made, the case shall be tried without the intervention of a jury.

Section IV. The plaintiff in any civil suit or proceedings in the District Court or in either of the Magistrate courts may be ruled to give security for the costs upon motion of the opposing party or of any officer of the court interested in the costs accruing in said suit; and it shall be the duty of the court to require the plaintiff to give such security for costs within a reasonable time thereafter and not later than ten days after the motion is presented to the court; and if the plaintiff shall fail to comply with the order of the court within the time prescribed by the court or judge thereof, the suit shall be dismissed.

Section V. A new or additional undertaking may be ordered, within such time as the court or judge may prescribe, upon proof that the original undertaking is insufficient security, and failure on the part of the plaintiff to comply with the order of the court, or judge, within the time prescribed, shall cause the dismissal of the suit.

The security for costs required by this section may consist of a money deposit, bond of a surety company, or cost bond with two or more good and sufficient sureties; the form of such security to be determined by the judge or magistrate of the court before whom the proceedings are pending. If personal security is furnished, the sureties must be residents of the Canal Zone, and no officer of the court or attorney practicing before the court shall be accepted as surety.

Section VI. All bonds given as security for costs shall authorize judgment against all of the obligors of the said bonds, jointly and severally, for such costs, to be entered in the final judgment of the case or special proceedings.

Section VII. Any citizen of the United States, entitled to commence any suit or action in any court in the Canal Zone, may commence and prosecute or defend to conclusion any such suit or action, without being required to prepay fees or costs or give security therefor, before or after bringing such suit or action, upon filing in the said court a statement, under oath, in writing, that because of his poverty he is unable to pay the costs of said suit or action, or to give security for same, and that he believes that he is entitled to the redress he seeks by such suit or action, and setting forth the nature of the said cause of action.

The opposing party in the suit, the clerk of the District Court, or his assistant, or the magistrate, as the case may be, may contest the inability of the party to pay costs or his inability to furnish security for same; and the contest shall be heard at such time as the court or magistrate may determine.

If no contest is made upon the affidavit, or if the same is admitted by the court or magistrate after the contest, it shall be the duty of the officers of the court thereafter to issue and serve all processes and perform all duties on behalf of such party as in other cases.

Section VIII. No security for costs shall be required of the United States, The Panama Canal, or any of its dependencies or from the public administrator of The Panama Canal.

Section IX. The provisions of this order, relating to security for costs, shall apply to an intervenor; and shall also apply to a defendant who seeks a judgment against the plaintiff on a counterclaim, after the defendant shall have discontinued his suit.

Section X. When the costs are secured by the provisions of an attachment or other bond, filed by the party required to give satisfactory security for costs, no further security shall be required.

Section XI. This order shall apply to pending cases in the District Court and the Magistrate courts.

Section XII. Costs shall ordinarily be allowed to the prevailing party as a matter of course, but the court shall have power for special reasons to adjudge that either party shall pay the costs of an action, or that the same be divided as may be equitable.

Section XIII. The Executive Order of August 14, 1914, "To Require Security for Costs in Civil Cases,"⁶⁹⁹ and all other laws, orders and decrees, or parts thereof, in conflict with this order are hereby repealed.

Section XIV. This order shall take effect thirty days from this date.

WOODROW WILSON.

THE WHITE HOUSE,
9 January, 1920.

⁶⁹⁹ p. 196. See notes thereunder.

Order of the Acting Secretary of War of Jan. 30, 1920, Appointing Homer A. A. Smith a Member of the Joint Land Commission.

By direction of the President, it is ordered:

That, effective February 2, 1920, Homer A. A. Smith, who has been appointed a member of the Joint Commission for the appraisalment and settlement of damages to property in the Canal Zone, in accordance with the provisions of Articles Six and Fifteen of the Convention between the United States and Panama, concluded November 18, 1903, be allowed Twenty-five (\$25) Dollars per day for his services, including all expenses: *Provided*, That he shall be granted free transportation over the Panama Railroad and such other transportation as may be necessary when traveling on official business on the Isthmus; he shall also be allowed the ordinary privileges of Government employees on the Isthmus, including 'employees' rates at the hotels of The Panama Canal or the Panama Railroad Company on the Isthmus.

In consideration of the fact that Mr. Smith will resign his position as Auditor of The Panama Canal to accept appointment as member of the Joint Commission, it is further ordered that upon the termination of such service Mr. Smith shall be reinstated to the position of Auditor of The Panama Canal without disturbance of his continuous service status; and he shall also have the right to leave earned during his present service year after reinstatement as Auditor of The Panama Canal.

BENEDICT CROWELL,
Acting Secretary of War.

WAR DEPARTMENT,
Washington, D. C., January 30, 1920.

Order of the President of Feb. 3, 1920, Making Order of May 24, 1919, Relative to Obtaining Vessels and Equipment from Navy, Applicable to The Panama Canal.

Under authority of the Act of Congress, Chapter 78, Section 2, approved May 20, 1918, Executive Order No. 3091, dated May 24, 1919, is hereby amended so as to include The Panama Canal.^{61a}

WOODROW WILSON.

THE WHITE HOUSE,
3 February, 1920.

The following Executive Order No. 3091 is made applicable to The Panama Canal by the above order.

EXECUTIVE ORDER.

Under authority of the Act of Congress, Chapter 78, Section 2, approved May 20, 1918, it is hereby ordered that the Secretary of the Navy be and he hereby is authorized to transfer any or all vessels, boats, and auxiliary ships of the Navy classified as yachts, colliers, transports, tenders, supply ships, hospital ships, submarine chasers, patrol boats, motor boats, fishing vessels, and special types built, purchased or commandeered for a substantial consideration by the Navy subsequent to the declaration of Congress by joint resolution approved April 6, 1917, that war exists between the United States and Germany, and provided said vessels were built, purchased, or commandeered for the purposes of said war, and any other Executive Department of the Government is desirous of securing from the Navy Department such vessels, boats, and auxiliary ships, or any of them, which are, in the opinion of the Secretary of the Navy, not necessary for the needs of the Navy, upon such terms as may be agreed to by the Executive Head of such Department and the Secretary of the Navy.

It is hereby further ordered that the Secretary of the Navy may in his discretion and upon such terms as may be agreed to by him and the Executive Head of any Executive Department desirous of obtaining same, transfer the materials and equipment of vessels, boats, and auxiliary ships of the Navy as above described, said materials and equipment consisting of masts, bowsprits, boats, anchors, tackle, furniture, and all other necessities appertaining and belonging to such vessels, boats, and auxiliary ships.

WOODROW WILSON.

THE WHITE HOUSE,
24 May, 1919.

^{61a} See following order.

Authorizing Charges for Services Rendered by the Quarantine Division of The Panama Canal.

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

I. The Governor of The Panama Canal is hereby authorized to establish, from time to time, a schedule of charges to cover services rendered by the Quarantine Division of The Panama Canal in the disinfection of vessels and their cargoes, for the transportation and subsistence of passengers while in quarantine, for placing guards aboard vessels when necessary, and for the inspection of vessels outside of the regular hours; which charges shall be paid to The Panama Canal by the person or interest receiving such service.⁶¹¹

II. The ordinance of the Isthmian Canal Commission, enacted August 5, 1911, and approved by the Secretary of War, August 22, 1911, "Providing for night quarantine inspection of vessels at the port of Colon,"⁶¹² and all other laws, orders and regulations in conflict with this order are hereby repealed.

III. This order shall take effect from and after this date.⁶¹³

WOODROW WILSON.

THE WHITE HOUSE,
11 February, 1920.

Establishing a Maximum Rate of Pay for Alien Employees of The Panama Canal and the Panama Railroad Company on the Isthmus of Panama.

By virtue of the authority vested in me by the Panama Canal Act, approved August 24, 1912, it is hereby ordered:

I. That the Executive Order of February 2, 1914, be so amended that paragraphs 6 and 20 thereof shall read as follows:

PARAGRAPH 6.⁶¹⁴

All employees who receive compensation at the rate of more than \$960 a year or 40 cents an hour, must be citizens of the United States or the Republic of Panama, and such citizens will be given preference for employment in all grades. Aliens may not be employed in such grades unless (a) they have occupied similar positions during the construction of the Canal for two years or more, or (b) in case of emergency, in which latter case they must be replaced by citizens of the United States or Republic of Panama as early as practicable.

PARAGRAPH 20.⁶¹⁵

All employees who are citizens of the United States, and aliens whose compensation is at a rate of more than \$960 a year or 40 cents an hour, shall be entitled to leave privileges.

II. This Order shall take effect on and after this date.

WOODROW WILSON.

THE WHITE HOUSE,
20 February, 1920.

Order of the President of Mar. 1, 1920, Establishing the Punta Mala Naval Radio Station.

The area of land hereinafter described situated in the jurisdiction of the Canal Zone is hereby set apart and assigned to the uses and purposes of a radio station, and other naval purposes, under the control of the Secretary of the Navy; but the said area shall be subject to the civil jurisdiction of the Canal Zone authorities in conformity with the Panama Canal Act. The said area is described as follows:

PUNTA MALA NAVAL RADIO STATION.

The said radio station is part of the tract of land heretofore set apart for the uses and purposes of the Punta Mala Lighthouse of The Panama Canal, and comes within the following metes and bounds:

Commencing at the southernmost point of the said Radio Station, which point is designated on the blueprint herewith attached numbered 6030-2, dated June 18, 1919,

⁶¹¹ See sec. 30, Executive Order, Apr. 15, 1913, p. 143.

⁶¹² L. C. Z. 286.

⁶¹³ See Executive Order of Mar. 31, 1920, p. 268, which provides revised maritime quarantine regulations, repealing all orders, or parts thereof, in conflict therewith.

⁶¹⁴ p. 158.

⁶¹⁵ p. 160.

and signed by O. E. Malsbury, Assistant Engineer, as Point "B," and is marked by a concrete monument; thence north seventy degrees, ten minutes, thirty-one seconds (N. 70° 10' 31") west, five hundred and seventy-eight feet (578') more or less, to a concrete monument at the intersection of this line with the western boundary of the Punta Mala Lighthouse Reservation, designated on said blueprint with the letter "D"; thence north (true) six hundred and ten feet (610'), more or less, to the intersection with the low water shore line of the cove at the northern end of the Reservation. The line then follows the shore line of the cove to the northern end of the small point, thence following the low water shore line in a southerly direction until the point "F," shown on the blueprint, is reached. The line then runs south sixty-one degrees, three minutes, twenty-nine seconds (S. 61° 03' 29") west, a distance of five hundred and eighty-nine and five tenths feet (589.5') to the place of beginning marked "B" on the said blueprint. The total area of the Radio Station is approximately thirteen and seven tenths (13.7) acres.

The shelter cove at the northern boundary of the Radio Station which is used at high tide for landing supplies for the lighthouse as well as the Radio Station, shall be available for use of both the Lighthouse and Radio services, and a right of way is hereby allowed to Punta Mala Lighthouse service through the Naval Reservation for the purpose of transporting supplies to and from the Lighthouse Reservation and the said landing.

WOODROW WILSON.

THE WHITE HOUSE,
1 March, 1920.

CARRYING AND KEEPING OF ARMS.

By virtue of the authority vested in me by Section 4 of the Act of Congress, authorizing the President to make rules and regulations relative to police powers in the Canal Zone, approved August 21, 1916,⁶⁶ I hereby establish the following order for the Canal Zone:

SECTION I. It shall be unlawful for any one to carry on or about his person any firearm or any dirk, dagger or other knife, manufactured or sold for the purpose of offense or defense, or any slung shot, sword-cane, or any knuckles made of metal or other hard substance.

SEC. II. The preceding section shall not apply to a person engaged in the military or naval service of the United States, or as a peace officer or officer authorized to execute judicial process of the United States or the Canal Zone, or in carrying mail or in the collection or custody of funds of the United States or the Canal Zone; nor to a member of a gun or pistol club organized for the promotion of target practice, a certified copy of the constitution and by-laws of which have been approved by the Executive Secretary of The Panama Canal and filed with the Chief of the Police and Fire Division, when such member is going to or from a target range or is engaged in practice at the target range. For the purposes of this order, a certificate of membership in the gun or pistol club shall be issued by the organization and approved by the Chief of the Police and Fire Division, which shall entitle the holder to carry firearms as is provided in this section.

Neither shall the preceding section apply to any person authorized to have or carry arms by permit granted under the terms of this order.

SEC. III. The Executive Secretary of The Panama Canal may authorize the granting of permits to have and carry arms, as follows:

1. To hunt upon the public lands of the Canal Zone or upon lands occupied by private persons, when authorized by the latter.
2. To have arms in residences, offices, business places, and plantations, and to watchmen or overseers of plantations, factories, warehouses, docks or piers. Applications for such permits shall be made to the Executive Secretary of The Panama Canal, and shall contain the full name, residence and occupation of the applicant; and if the applicant is a minor it shall not be granted without the consent of his parent or guardian; but no permit shall be granted to a minor under 15 years of age.

The Executive Secretary shall satisfy himself by due inquiry that the applicant is a proper person to have a permit to keep and carry arms; and he may grant or deny the application, as to him may seem proper.

SEC. IV. When an application is granted by the Executive Secretary for a permit to hunt, he shall endorse his approval thereon and file the application, and he shall cause a permit to be issued to the applicant upon his paying a fee of \$1.

⁶⁶ T. & A. 130-132.

Hunting permits issued by virtue of this order will allow the holder thereof to have, carry, and use firearms in the area or areas prescribed by the Governor of The Panama Canal, and on the conditions imposed by him under such general or special rules and regulations as he may issue from time to time. And the Governor is hereby empowered to designate the area or areas of the Canal Zone in which hunting is permitted, and the class of arms that may be used in hunting in such areas; and no hunting shall be allowed outside of the areas so designated by him. And the Governor of The Panama Canal may, in such general or special rules and regulations, impose such other conditions in respect to hunting as he may deem necessary in the interests of public order, and to prevent injury to persons or property.⁶¹⁷

A permit granted under this section shall run for the fiscal year in which it is issued, and it may be revoked at any time for cause by the Executive Secretary of The Panama Canal.

SEC. V. Permits heretofore issued by authority of law, to have and use firearms, shall not be affected by this order, but such permits shall continue in force until the expiration of the period for which they were issued.

SEC. VI. Any one not authorized by this order, who carries on or about his person any of the prohibited arms mentioned in Section I of this order, or who hunts or engages in hunting without first obtaining the permit provided for in this order, or who after obtaining such permit engages in hunting in violation of the provisions of this order or any rule or regulation established by the Governor hereunder, shall be punished by a fine not exceeding twenty-five dollars or by imprisonment in jail not to exceed thirty days, or by both such fine and imprisonment, in the court's discretion.

In addition to the punishment herein prescribed for a violation of this order, the courts shall adjudge the seizure and confiscation of the arms unlawfully had, used, or carried by the offending party, and the same shall be disposed of in such manner as the Executive Secretary of The Panama Canal shall determine.

SEC. VII. Penalties for the infringement of this order shall be in addition to such punishment as may be imposed upon the offending person for any other offense that he may have committed in connection with the carrying or using of arms in violation of this order.⁶¹⁸

SEC. VIII. The Executive Order of November 7, 1913,⁶¹⁹ and all other laws, orders and regulations or parts thereof in conflict with this order are hereby repealed.

SEC. IX. This Order shall take effect thirty days from and after this date.

WOODROW WILSON.

THE WHITE HOUSE,
6 March, 1920.

Establishing Maritime Quarantine Regulations for the Canal Zone and Harbors of the Cities of Panama and Colon, Republic of Panama.

By virtue of the authority vested in me by law, and in conformity with Article VII of the Panama Canal treaty between the United States of America and the Republic of Panama, dated November 18, 1903, I hereby establish the following maritime quarantine regulations for the Canal Zone, and for the harbors of the cities of Panama and Colon, Republic of Panama.

SECTION I.

The Division of Quarantine of the Panama Canal shall continue under the jurisdiction of the Health Department of the Panama Canal, subject to the supervision of the Governor of the Panama Canal.

SECTION II.

BILLS OF HEALTH.

Masters of vessels clearing from any foreign port or from any port in the possessions or other dependencies of the United States, or touching at any of the said ports, for a port in the Canal Zone or for the port of Panama or Colon, Republic of Panama, or

⁶¹⁷ See the 645 series of Governor's Circulars on subjects of hunting and carrying and keeping arms. See also pamphlet published June 15, 1920, embracing laws and regulations governing hunting and carrying of arms, with map showing prohibited areas for hunting.

⁶¹⁸ See also ordinance of the Commission of Apr. 15, 1911 (L. C. Z. 283), prohibiting hunting and trespassing on watersheds; order of Mar. 19, 1913, p. 140, to protect birds and their nests, and regulations established under that order by the Commission on Aug. 22, 1913 (L. C. Z. 297); and the order of Jan. 27, 1914, p. 155, prohibiting hunting with artificial lights at night or with traps.

⁶¹⁹ p. 152. See notes thereunder relating to previous legislation on this subject.

for passage through the Panama Canal, must obtain a bill of health in duplicate from the officer or officers authorized by the quarantine laws and regulations in the United States to sign such certificates for vessels entering the ports of the United States.

SECTION III.

Vessels clearing from a foreign port for a port in the United States or one of their possessions or dependencies, and touching at any port of the Canal Zone, or the port of Panama or Colon, Republic of Panama, or for passage through the Panama Canal, shall not be required to obtain an additional bill of health under these regulations; but bills of health so obtained for entry into ports of the United States shall be presented upon arrival at any port of the Canal Zone, or at the port of Panama or Colon, as the case may be, for the inspection of the Quarantine Officer of the Panama Canal.

SECTION IV.

Masters of vessels clearing from ports of the United States for ports of the Canal Zone or the port of Panama or Colon, Republic of Panama, or for passing through the Panama Canal, must obtain a port sanitary statement signed by the officer authorized under the laws of the United States to issue such statements, and must present such statement to the Quarantine Officer of the Panama Canal.

SECTION V.

RULES TO BE OBSERVED AT FOREIGN PORTS.

1. The officer issuing a bill of health at a foreign port or a port in any possession or other dependency of the United States shall satisfy himself, by inspection if necessary, that the conditions as certified to by him in said bill of health are true, and he is hereby authorized to withhold the bill of health to said vessel unless these regulations are complied with; and he shall note upon the face of the bill of health any additional facts that may guide the quarantine officer of the Panama Canal, in order that the latter may impose such restrictions as he may deem necessary on account of the insufficiency of the precautions taken at the port of departure of the vessel, or that he may allow such concessions as he may deem proper on account of the precautions taken at such port of departure.

2. Inspection is required of all vessels from ports in which cholera, yellow fever, or plague in men or rodents, prevails, or at which smallpox or typhus fever prevails in epidemic form and at which a medical officer is detailed.

3. The inspection required by this section is such an examination of the vessel, cargo, passengers, crew, personal effects of same, including the examination of manifests and other papers, food and water supply and the ascertainment of its relations with the shore, the manner of loading and possibilities of invasion by rats and insects as will enable the inspecting officer to determine if these regulations have been complied with.

4. The examination shall be made by daylight, as late as practicable before the ship sails. The vessel must be inspected before the passengers go aboard. The passengers shall be inspected just before embarkation, and the crew shall be inspected on the deck of the vessel; and no communication shall be had with the vessel after such inspection except by permission of the officer issuing the bill of health.

5. Before a bill of health is issued to a vessel having on board or having had on board a case of quarantinable disease or the infecting agents of any disease adequate measures must be taken to remove such infection.

6. Vessels must be mechanically clean in all their parts, especially the holds, fore-castle and steerage, prior to storing cargo therein or receiving passengers thereon. Any portion of the vessel liable to have been infected by any quarantinable disease must be mechanically cleaned, and all bedding, linen, clothing, utensils and other articles that may have been used or soiled by the sick person must be removed and sterilized before the issuance of a bill of health.

7. Nothing containing organic refuse shall be taken as ballast from any port.

8. Bedding which has been used, upholstered furniture, wearing apparel, personal effects, and second-hand articles of a nature similar to those incorporated in this section, which the consular or medical officer has reason to believe have been soiled or that may carry lice, fleas, bed bugs, or other vermin, should be treated to correct this condition prior to shipment. Any article of the class mentioned in this paragraph, which can not be rendered clean and free from vermin, should not be shipped.

9. Passengers should avoid embarking, as far as possible, at a port where a quarantinable disease prevails; and communication between the vessel and the shore must be reduced to a minimum at ports where a quarantinable disease prevails, and the personnel of the vessel must remain on board during their stay in such port. No person suffering from a quarantinable disease shall be allowed to take passage on a vessel, except lepers with proper authority returning to their native country.

10. Passengers and crew, merchandise and baggage, coming from an infected locality, but shipped at an uninfected port, must submit to the same restrictions as are imposed at an infected port before being allowed to ship.

SECTION VI.

LOCAL RULES FOR INSPECTIONS.

1. The following vessels arrived at ports of the Canal Zone or the port of Panama or Colon, Republic of Panama, shall be inspected by the quarantine officer of the port prior to the vessel's entry:

(a) Vessels from foreign ports and from ports of the United States and their dependencies;

(b) Vessels with sickness on board;

(c) Vessels from Panamanian ports where quarantinable disease prevails;

(d) Vessels from Panamanian ports carrying passengers or articles suspected by the quarantine officers of conveying the infection of a communicable disease;

(e) Vessels from Panamanian ports having touched at a foreign port since the last quarantine inspection.

2. Every vessel subject to quarantine inspection shall be considered in quarantine until granted free pratique, and such vessel shall fly a yellow flag from the foremast head from sunrise to sunset, and shall observe all the other requirements of vessels actually quarantined.

3. The master of a vessel in quarantine shall allow no communication with his vessel except as is provided in these regulations, nor shall any water craft approach within 200 meters of such vessel.

4. No person or article of any kind shall be allowed to leave a vessel in quarantine except with the consent of the quarantine officer.

5. If a boat of any kind has communication with a vessel in quarantine, such boat and its personnel shall be subjected to such measures of quarantine as the quarantine officer may judge to be necessary.

6. No person other than the quarantine officers shall go aboard any vessel subject to quarantine until such vessel has been granted pratique, provided, however, that this section shall not apply to pilots, customs officers and admeasurers, while on duty; nor shall it apply to the agent of the vessel, if such agent has the consent of the quarantine officer to go aboard of such vessel.

7. The quarantine officer shall decide whether such vessel, or its personnel or passengers or any article aboard of such vessel is liable to convey any of the following disease: Plague, yellow fever, cholera, smallpox, typhus fever, leprosy, or such other disease as may from time to time be declared to be quarantinable by the Governor of the Panama Canal; and if the quarantine officer is of the opinion that such vessel is liable to convey any of the said diseases, he shall place the vessel in quarantine, and shall forbid the entry of the said vessel until the vessel, in his judgment, is no longer liable to convey any such disease; and he shall take such measures in respect to the vessel, its passengers, personnel or cargo as in his judgment may be required to prevent the introduction of such disease into the Canal Zone or into the cities of Panama and Colon, Republic of Panama.

8. Every case of sickness aboard any vessel in the harbors of the Canal Zone or in the port of Panama or Colon shall be immediately reported by the master of the vessel to the quarantine officer.

SECTION VII.

GENERAL RULES.

Quarantine stations for the detention of passengers and others undergoing quarantine under these regulations shall be established and maintained at such places as may be fixed by the Governor of the Panama Canal from time to time; but the present quarantine stations of the Panama Canal shall continue until changed in conformity with the provisions of this section.

Quarantine inspections shall be made at the places and hours as may be fixed by the Governor from time to time; and he may, when necessary, designate quarantine anchorages to be used exclusively for quarantined vessels.

SECTION VIII.

In the discretion of the Chief Health Officer of the Panama Canal, passengers boarding vessels at ports subject to quarantine under these regulations may be required to present, upon their arrival at any port of the Canal Zone or the ports of Panama or Colon, to the quarantine officer, personal certificates from the officer authorized by these regulations to sign bills of health, which certificates should certify to the passenger's sanitary condition and history, provided, however, that due notice shall be given to the agents of the steamship company on the Isthmus of Panama that such certificates will be required.

SECTION IX.

The Chief Quarantine Officer shall have charge of the sanitation of the harbors of the Canal Zone, and of the harbors of Panama and Colon, Republic of Panama, and vessels lying therein, and shall see that such measures are enforced as are necessary for the proper hygiene of vessels, their cargoes and personnel, whether in port or en route, and to prevent the vessels or their personnel from being a source of danger to other vessels or to the port. And he is hereby authorized to certify bills of health to vessels clearing from ports under his jurisdiction, setting forth in such bill of health the conditions of the port, vessel, its cargo, passengers and crew; and he is authorized, at the request of the master of any vessel, to disinfect the same and otherwise place such vessel in a sanitary condition so that it may leave the port with a clean bill of health and be able to make entry at the port of destination without further disinfection or detention in quarantine.

SECTION X.

The Governor of the Panama Canal is hereby authorized to establish a schedule of charges from time to time to cover services rendered by the quarantine division of the Panama Canal in the disinfection of vessels, their cargoes, for the transportation and subsistence of passengers while in quarantine, for placing guards aboard vessels when necessary, and for the inspection of vessels outside of regular hours, which charges shall be paid to the Panama Canal by the person or interest receiving such service.

SECTION XI.

A certificate from the quarantine officer shall be required of every vessel subject to inspection, as a prerequisite for the customs entry or passage through the Canal of such vessel; and any instructions written into this certificate shall be binding upon the vessel and shall be observed by all persons. The certificate provided for by this section shall be in either of the following terms:

(a) That the vessel has complied with all the quarantine regulations and is entitled to free pratique;

(b) That the vessel is allowed to proceed under certain conditions and is entitled to conditional pratique.

SECTION XII.

Persons detained in quarantine under these regulations shall not be permitted to go outside of the limits of the quarantine station without permission of the quarantine officer, and if any such person shall leave the quarantine station without such permission he may be taken into custody by the quarantine officer wherever found and returned to the quarantine station, and for this purpose the quarantine officer may call upon the police for assistance.

No person except the Chief Health Officer of the Panama Canal or his representatives, the quarantine officers and employees and personnel of the station shall be permitted to enter in or upon a quarantine station without permission from a quarantine officer of the Panama Canal.

SECTION XIII.

The medical officers of the Panama Canal, duly clothed with authority to act as quarantine officers at any port within the Canal Zone and the ports of the cities of Panama and Colon, Republic of Panama, when discharging the duties of quarantine officers are hereby authorized to administer oaths and take declarations in matters relating to the administration of the quarantine laws or regulations of the Panama Canal.

SECTION XIV.

The Governor of the Panama Canal is hereby authorized to prescribe, from time to time, the form of bill of health, sanitary statement, or other forms required or made necessary by these regulations, and to issue from time to time such general or special instructions, not inconsistent with these regulations, as he may deem necessary to the due enforcement of these regulations.

SECTION XV.

Any person failing to observe the requirements of these regulations or of any instructions issued by the Governor of the Panama Canal in conformity with these regulations,⁶²⁰ shall be punished by a fine not exceeding five hundred dollars or by imprisonment in jail not exceeding ninety days, or both such fine and imprisonment at the discretion of the Court, in conformity with the Act of Congress authorizing the establishment of these regulations.

SECTION XVI.

All laws, orders and regulations, or parts thereof, in conflict with this order are hereby repealed.⁶²¹

SECTION XVII.

These regulations shall take effect thirty days from and after this date.⁶²²

WOODROW WILSON.

THE WHITE HOUSE,
31 March, 1920.

Order of the President of Apr. 9, 1920, Establishing Fort Randolph and France Field Military Reservations and Coco Solo Naval Reservation.

The areas hereinafter described respectively as Fort Randolph Reservation, France Field Reservation and Coco Solo Reservation, situated within the Canal Zone, are hereby set apart and assigned as follows: Fort Randolph and France Field to the uses and purposes of military reservations, to be under control of the Secretary of War; and Coco Solo to the uses and purposes of a naval reservation, to be under the control of the Secretary of the Navy. All the above areas, however, shall be subject to the civil jurisdiction of the Canal Zone authorities in conformity with the Panama Canal Act.

The said areas are described as follows:

FORT RANDOLPH RESERVATION.

Beginning at a 2" g. i. pipe monument on the shore of Manzanillo Bay, on the west side of Fort Randolph branch, Panama Railroad, 22.5 feet from center line of track, geodetic coordinates of which monument are Lat. 9°-22' plus 4674.1 feet, Long. 79°-52' plus 5764.7 feet (this monument is also monument "C" on the boundary of the Naval Aviation and Submarine Base), thence South 12°-15' East paralleling the railroad a distance of 874.6 feet to a 2" g. i. pipe monument, the geodetic coordinates of which are Lat. 9°-22' plus 3819.4 feet, Long. 79°-52' plus 5579.1 feet, thence South 77°-45' West a distance of 335.6 feet to a concrete monument whose geodetic coordinates are Lat. 9°-22' plus 3748.2 feet, Long. 79°-52' plus 5907.0 feet, thence South 12°-45' East a distance of 79.8 feet to a concrete monument the geodetic coordinates of which are Lat. 9°-22' plus 3670.4 feet, Long. 79°-52' plus 5889.4 feet, thence North 81°-37' East a distance of 336.0 feet to a 2" g. i. pipe monument the geodetic coordinates of which are Lat. 9°-22' plus 3719.4 feet, Long. 79°-52' plus 5557.4 feet, thence again along a line parallel to and 22.5 feet west of center line of track to a concrete monument inside a 4" C. I. pipe the geodetic coordinates of which are Lat. 9°-21' plus 3547.5 feet, Long. 79°-52' plus 5061.6 feet, (this monument being also monument "A" of the Naval Aviation and Submarine Base); thence South 81°-56' E. a distance of

⁶²⁰ See the 626 series of Governor's Circulars on this subject.

⁶²¹ Repeals Executive Order of Apr. 15, 1913, p. 143, and amendments thereto. See notes under that order relating to previous orders on same subject.

⁶²² General reference: See White Slave Act of June 25, 1910 (T. & A. 58), and Executive Order of Feb. 6, 1917 (E. O. 220) relating to exclusion of undesirable persons.

5106.8 feet to a $1\frac{1}{2}$ " g. i. pipe monument the geodetic coordinates of which are $9^{\circ}-21'$ plus 2830.6 feet, Long. $79^{\circ}-52'$ plus 5.4 feet, thence due east a distance of 6309.4 feet to Canal Zone boundary monument No. 5, the geodetic coordinates of which are Lat. $9^{\circ}-21'$ plus 2830.6 feet, Long. $79^{\circ}-50'$ plus 5709.0 feet, thence following the Canal Zone boundary line N. $0^{\circ}-33'$ E to the southern shore of Largo Remo island at low water, thence following around the low water shore line of Largo Remo island in an easterly direction, thence continuing in a northerly direction along the low water shore line of Largo Remo island, Droque Island, and the two small islands to the north and adjacent to Droque island, thence continuing in a westerly direction along the low water shore line to the Canal Zone boundary line, thence continuing in the general directions west and south to include all the mainland and islands (Pena Guapa, Galeta, Palma Media, Margarita, etc.) to the point of beginning.

All bearings are true.

(All pipe monuments are painted white and stenciled in black—Mil. Res.—where the boundary lines intersect the sides of the pipe.)

FRANCE FIELD RESERVATION.

Beginning at a concrete monument inside a $4''$ c. i. pipe, 22.5 feet west of center line of track of the Fort Randolph branch, Panama Railroad, and approximately 4350 feet north of the point where this railroad crosses the Majagual River, the geodetic coordinates of which monument are Lat. $9^{\circ}-21'$ plus 3547.5 feet, Long. $79^{\circ}-52'$ plus 5061.6 feet (this monument being also monument "A" of the Naval Aviation and Submarine Base described below); thence due west a distance of 520.7 feet to a $2''$ g. i. pipe monument on the shore of Manzanillo Bay, the geodetic coordinates of monument being Lat. $9^{\circ}-21'$ plus 3547.5 feet, Long. $79^{\circ}-52'$ plus 5582.3 feet, (this monument being also monument "B" of the Naval Aviation and Submarine Base); thence following the shore line of Manzanillo Bay in a general southerly direction to the mouth of Majagual River, thence along the north bank of said river to a $1\frac{1}{2}$ " g. i. pipe monument, the geodetic coordinates of which are Lat. $9^{\circ}-21'-00''$, Long. $79^{\circ}-52'$ plus 3810.7 feet, thence due east a distance of 3805.3 feet to a concrete monument, the geodetic coordinates of which are Lat. $9^{\circ}-21'-00''$, Long. $79^{\circ}-52'$ plus 5.4 feet, thence due north a distance of 2830.6 feet to a $1\frac{1}{2}$ " g. i. pipe monument the geodetic coordinates of which are Lat. $9^{\circ}-21'$ plus 2830.6 feet, Long. $79^{\circ}-52'$ plus 5.4 feet, thence N. $81^{\circ}-56'$ W. a distance of 5106.8 feet to a concrete monument inside a $4''$ c. i. pipe, which is the point of beginning.

All bearings are true. All pipe monuments are painted white and stenciled in black—Mil. Res.—where the boundary lines intersect the sides of the pipe.

COCO SOLO RESERVATION.

Beginning at a $2''$ g. i. pipe monument (marked "C" on the map) on the shore of Manzanillo Bay, on the west side of the Fort Randolph branch, Panama Railroad, and 22.5 feet from center line of track, the geodetic coordinates of which monument are Lat. $9^{\circ}-22'$ plus 4674.1 feet, Long. $79^{\circ}-52'$ plus 5764.7 feet, thence S. $12^{\circ}-15'$ E. paralleling the railroad, a distance of 874.6 feet to a $2''$ g. i. pipe monument, the geodetic coordinates of which are Lat. $9^{\circ}-22'$ plus 3819.4 feet, Long. $79^{\circ}-52'$ plus 5579.1 feet, thence S. $77^{\circ}-45'$ W. a distance of 335.6 feet to a concrete monument, the geodetic coordinates of which are Lat. $9^{\circ}-22'$ plus 3748.2 feet, Long. $79^{\circ}-52'$ plus 5907.0 feet, thence S. $12^{\circ}-45'$ E. a distance of 79.8 feet to a concrete monument the geodetic coordinates of which are Lat. $9^{\circ}-22'$ plus 3670.4 feet, Long. $79^{\circ}-52'$ plus 5889.4 feet, thence N. $81^{\circ}-37'$ E. a distance of 336.0 feet to a $2''$ g. i. pipe monument the geodetic coordinates of which are Lat. $9^{\circ}-22'$ plus 3719.4 feet, Long. $79^{\circ}-52'$ plus 5557.4 feet, thence again along a line parallel to and 22.5 feet west of center line of track to a concrete monument inside of a $4''$ c. i. pipe, the geodetic coordinates of which are $9^{\circ}-21'$ plus 3547.5 feet, Long. $79^{\circ}-52'$ plus 5061.6 feet, (this monument marked "A" on the map), thence due west a distance of 520.7 feet to a $2''$ g. i. pipe monument on the shore of Manzanillo Bay, the geodetic coordinates of which monument are Lat. $9^{\circ}-21'$ plus 3547.5 feet, Long. $79^{\circ}-52'$ plus 5582.3 feet, (this monument marked "B" on the map).

The part of the boundary thus far described is common with the boundary of the Fort Randolph Military Reservation, on the east, and France Field on the south.

Thence following the shore line of Manzanillo Bay in a northerly and easterly direction to the point of beginning.

All bearings true. All pipe monuments are painted white and stenciled in black—Mil. Res.—where the boundary lines intersect the sides of the pipe.

In addition to the above, the Secretary of War shall have control of all lands and water for a distance of one hundred yards out to sea from the high water line on all shores of Fort Randolph and France Field Reservations, and the Secretary of the Navy shall have control of all lands and water for a distance of one hundred yards out to sea from the high water line on all shores of Coco Solo Reservation.

The transfer of the Fort Randolph and France Field Reservations is made subject to the continued right of the Supply Department of the Panama Canal to use areas not contiguous to barracks or quarters for pasturage of cattle for the supply of beef to the Canal Zone; the pasturage areas, however, to be available for use by the troops when required for military maneuvers or for target practice.

WOODROW WILSON.

THE WHITE HOUSE,
9 April, 1920.

Order of the Secretary of War of May 1, 1920, Relating to Traveling Expenses of the Umpire of the Joint Commission.

By direction of the President it is ordered that Senor Don Manuel Walls y Merino shall be allowed a lump sum of Seven Hundred Fifty Dollars (\$750) to cover his salary and traveling expenses after completion on the Isthmus of his services as Umpire of the Joint Land Commission in lieu of the compensation and return traveling allowances authorized in the Executive Order dated March 20, 1917.

NEWTON D. BAKER,
Secretary of War.

WASHINGTON, D. C.,
May 1, 1920.

Opening of the Panama Canal.

PROCLAMATION.

OPENING OF THE PANAMA CANAL.

WHEREAS, Section 4 of the Act of Congress entitled "An Act To Provide for the opening, maintenance, protection and operation of the Panama Canal, and the sanitation and government of the Canal Zone," approved August 24, 1912,⁶²³ (37 Stat. L. 561) and known as the Panama Canal Act, provides that upon the completion of the Panama Canal the President shall cause it to be officially and formally opened for use and operation;⁶²⁴ and

WHEREAS, the Canal is completed, and is open for commerce;

NOW, THEREFORE, I, WOODROW WILSON, President of the United States of America, acting under the authority of the Panama Canal Act, do hereby declare and proclaim the official and formal opening of the Panama Canal for use and operation in conformity with the laws of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia, this 12th day of July, in the year of our Lord One Thousand Nine Hundred and Twenty, and of the Independence [SEAL] of the United States of America, the One Hundred and Forty-fifth.

WOODROW WILSON.

By the President:

NORMAN H. DAVIS,
Acting Secretary of State.

PAITILLA POINT MILITARY RESERVATION.

The area hereinafter described as Paitilla Point Military Reservation, formerly situated within the Republic of Panama, but acquired by the United States Government and now a part of the Canal Zone, is hereby set apart as a military reservation

⁶²³ T. & A. 79. There was no ceremony, as contemplated by various acts and orders, with the official and formal opening of the Panama Canal, other than the Proclamation issued as above.

⁶²⁴ The Canal had been informally opened to traffic August 15, 1914.

under the control of the Secretary of War, the said reservation, however, to remain subject to the civil jurisdiction of the Canal Zone authorities in conformity with the Panama Canal Act.

The said area is described as follows:

PAITILLA POINT MILITARY RESERVATION.

Starting at a triangulation station marked "Paitilla 1914" on the map (Panama Canal Drawing No. X-6053-1) the geodetic coordinates of which are Lat. $8^{\circ}58'$ plus 3,045.82 feet and Long. $79^{\circ}30'$ plus 5,847.92 feet, go on an azimuth of $180^{\circ}00'$ for a distance of 1,399.24 feet to a concrete monument, marked "A" on the map, which is the point of beginning on the boundary of the reservation; thence on a line the azimuth of which is $270^{\circ}00'$ for a distance of 1,146.95 feet to a concrete monument marked "B" on the map, which monument is on the extreme high-water line on the shore of the Bay of Panama; thence along the extreme high-water line, in a general southwesterly direction, for a distance of 6,000 feet more or less to a concrete monument marked "C" on the map, which monument is on the extreme high-water line; thence on a line the azimuth of which is $123^{\circ}43'$ for a distance of 67.3 feet to a concrete monument marked "D" on the map, which monument is on the extreme high water line. The last-mentioned course between "C" and "D" cuts off the extreme end of Paitilla Point and coincides with the old Panama City boundary. From "D" follow the extreme high-water line in a northerly direction along the east bank of the estuary of the Rio Matasnillo for a distance of 4,000 feet more or less to a concrete monument marked "E" on the map; thence on a line the azimuth of which is $270^{\circ}00'$ for a distance of 1,088.76 feet to a concrete monument marked "A" on the map, which is the point of beginning.

All bearings are true.

In addition to the above, the Secretary of War shall have control of all land on the eastern side of above described area between extreme high-water line and low-water line within the confines of the prolongation of boundary lines E-B and D-C; also all land on the western side of above described area between extreme high water line and low-water line, but in no case further than the center line of the Rio Matasnillo, between the confines of the prolongation of boundary lines B-E and C-D.

WOODROW WILSON.

THE WHITE HOUSE,
1 September, 1920.

Order of the President of Oct. 2, 1920, Relating to Lease of Hoboken Pier to Panama Railroad Steamship Company.*

WHEREAS, Under the provisions of Section 17 of the Act approved June 5, 1920, entitled "An Act To Provide for the promotion and maintenance of the American merchant marine, etc.," the Shipping Board "is authorized and directed to take over on January 1, 1921, the possession and control of, and to maintain and develop, all docks, piers, warehouses, wharves and terminal equipment and facilities, including all leasehold easements, rights of way, riparian rights and other rights, estates and interests therein or appurtenant thereto, acquired by the President by or under the Act entitled 'An Act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, etc.'"; and

WHEREAS, By a further provision of said Section 17, "the President may at any time he deems it necessary, by order setting out the need therefor and fixing the period of such need, permit or transfer the possession and control of any part of the property taken over by or transferred to the Shipping Board under this section to the War Department or the Navy Department for their needs;" and

WHEREAS, The piers known as the Hoboken piers, formerly the property of the North German Lloyd and Hamburg American Steamship Companies and of the Hoboken Shore Railroad, were acquired by the President under the Act referred to in paragraph 1 of Section 17 of the Act of June 5, 1920, hereinbefore recited, and are therefore subject to the provisions of said Section 17; and

WHEREAS, The War Department has heretofore leased pier No. 1, with bulkhead and yard space opposite, of said property to the Panama Railroad Steamship Line for a period of five years, which said Panama Railroad Steamship Line is the property of the Government of the United States, performing an indispensable service in connection with the maintenance and operation of the Panama Canal, and incidentally

*See also order of Nov. 2, 1921, p. 291.

furthering the commercial service between the United States and certain Caribbean, Central and South American ports, and is using said pier intensively and efficiently; and

WHEREAS, Piers 4, 5, 6, and 11, being parts of said property, are necessary to be retained in the possession and control of the War Department for use in connection with the overseas transport service now carrying men and supplies to and from Antwerp for the American Army of Occupation at Coblenz; now

THEREFORE, I do hereby determine that it is necessary that the War Department retain of such property piers 1, 4, 5, 6, and 11, together with the bulkhead opposite the slip between piers 3 and 4, and opposite piers 1, 4, 5, and 6; also the second floor of the bulkhead opposite the slip between piers 3 and 4 and opposite pier 4; also the offices on the third floor of the bulkhead opposite piers 1, 2, and 3; and the yard space opposite piers 1, 4, 5, and 6; and do order and direct that the said War Department do retain all of such property so described, and fix the period of retention as to pier 1, with bulkhead and yard space opposite, as the period of the existing lease of five years made between the War Department and the Panama Railroad Steamship Line, and as the period of retention of the other property herein directed and ordered to be retained a period of two years, unless in the opinion of the President the need of the War Department therefor, or for any part thereof, shall in the meantime cease, in which case, by an order subsequent hereto, the President declaring the cessation of such need shall cause possession and control of such property or part thereof to revert to the Shipping Board.

WOODROW WILSON.

THE WHITE HOUSE,
2 October, 1920.

[No. 3332.]

Order of the President of Oct. 30, 1920, To Require Operators of Motor Cycles to be Licensed as Chauffeurs.

By virtue of the Act of Congress entitled "An Act extending certain privileges of Canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provisions as to certain fees, money orders and interest deposits,"⁶²⁵ approved August 21, 1916, I hereby establish the following Executive Order for the Canal Zone:

SECTION 1. That hereafter the word "automobile" wherever the same is used in the Executive Order dated October 9, 1918,⁶²⁶ which Executive Order was published in *The Panama Canal Record*, of November 13, 1918, and became effective thirty days thereafter and is still in force, shall be construed to include any and all motor-propelled vehicles, and shall specifically include motorcycles.

SECTION 2. This Order shall take effect thirty days from and after its publication in *The Panama Canal Record*.⁶²⁷

WOODROW WILSON.

THE WHITE HOUSE,
30 Oct., 1920.

Order of the President of Nov. 6, 1920, Establishing New Limits of Fort Sherman Military Reservation.

WHEREAS, by Executive Order No. 2825, dated March 25, 1918,⁶²⁸ certain lands within the Canal Zone were set apart for the protection of the Panama Canal and for use as a military reservation in connection therewith, the same constituting and being known as the Fort Sherman Military Reservation.

AND WHEREAS, certain additional lands located southwesterly and across the Rio Chagres from the said reservation are deemed necessary for the said purposes.

NOW THEREFORE, I, WOODROW WILSON, President of the United States, do hereby set apart for the protection of the said canal and for use for military purposes in connection therewith the said additional lands, and declare the area hereinafter described,

⁶²⁵ T. & A. 130-132.

⁶²⁶ D. 247.

⁶²⁷ Published in *The Panama Canal Record* of November 24, 1920.

⁶²⁸ p. 237.

which includes both the lands originally reserved by said Executive Order No. 2825 and the said additional lands, to constitute the Fort Sherman Military Reservation. The said reservation shall remain subject, however, to the civil jurisdiction of the Canal Zone authorities, in conformity with the Panama Canal Act of August 24, 1912 (37 Stat. 560, 569). The boundaries of the reservation so declared are described as follows:

Beginning at the southwest end of the Toro Point Breakwater, Latitude N. 9 degrees 22 minutes 26.29 seconds, Longitude 79 degrees 57 minutes 06.49 seconds W., the boundary follows the low water line of Limon Bay to a concrete monument on right bank of the mouth of the Rio Petitpie (erroneously called Rio Pilibio) in the previous Executive Order) Latitude N. 9 degrees 19 minutes 15.48 seconds, Longitude 79 degrees 57 minutes 14.48 seconds W.; thence S. 49 degrees 15 minutes W., 12,300 feet to a concrete monument on the left bank of the mouth of the Rio Mojinga, approximate Latitude N. 9 degrees 17 minutes 55.82 seconds, approximate Longitude 79 degrees 58 minutes 47.55 seconds W.; thence approximately S. 51 degrees 48 minutes 26 seconds W., approximately 8,451 feet to Canal Zone boundary monument 109, approximate Latitude N. 9 degrees 17 minutes 3.98 seconds, approximate Longitude 79 degrees 59 minutes 53.87 seconds W.; thence S. 7 degrees 48 minutes W., 582 feet along the Canal Zone boundary to the north branch of the Rio Pina, thence down the north branch of the Rio Pina to monument on the right bank of the same river opposite the mouth of the Quebrada Muni, thence N. 64 degrees W. to the mouth of the Rio Majagual on the Caribbean Sea, thence northeastward along the coast to the mouth of the Rio Chagres; thence northeast along the low water line of the Caribbean Sea to the initial point.

The above area is shown on drawing 2407 of the Office of the District Engineer, Corps of Engineers, U. S. Army, Balboa Heights, Canal Zone.

There shall also be included in the said area all of the lands and water for a distance of one hundred yards out to sea from the high water line on all shores of the reservation; but the right to navigate and control the flow of the Chagres River is reserved to the authorities of the Canal Zone.

WOODROW WILSON.

THE WHITE HOUSE,
6 Nov., 1920.

Amendment of Executive Order of Apr. 16, 1914, so as to Include Mints and Assay Offices and Federal Reserve Banks to which the Duties and Functions of Assistant Treasurers of the United States are Transferred by the Secretary of the Treasury Under the Act of May 29, 1920.

By virtue of the authority vested in me under The Panama Canal Act, Executive Order dated April 16, 1914,⁶²⁹ prescribing regulations relative to the payment of tolls and bills for materials, supplies, repairs, harbor pilotage, towage, and other services, furnished to vessels by The Panama Canal, shall be and the same is hereby amended by inserting after the words "Assistant Treasurer of the United States" wherever these words occur in that Executive Order, the words "or any mint, assay office, or Federal reserve bank to which the duties and functions of Assistant Treasurers may be transferred by the Secretary of the Treasury under the authority conferred upon him by the Act of May 29, 1920 (41 Statutes at Large, 655)."

WOODROW WILSON

THE WHITE HOUSE,
5 Jan'y, 1921.

Regulations Establishing Maximum Rates of Fare and Governing Transportation of Passengers for Hire in the Canal Zone.⁶³⁰

By virtue of the authority vested in the President by the Act of Congress approved August 21, 1916,⁶³¹ and mutual agreement having been heretofore made with the

⁶²⁹ p. 172.

⁶³⁰ See order of Oct. 9, 1918, p. 247, relating to licensing of chauffeurs, and order of Apr. 14, 1921, p. 283, relating to operation of vehicles.

⁶³¹ T. & A. 130-132.

Republic of Panama touching the reciprocal use of the highways of the Canal Zone and the Republic of Panama, as by said act authorized, the following regulations establishing maximum rates of fare and governing the transportation of passengers for hire by horse-drawn and self-propelled vehicles over the highways of the Canal Zone, and between points in said Canal Zone and the cities of Panama and Colon, in the Republic of Panama, are hereby established:

SECTION I. Charges over the scheduled routes set forth in Schedules A and B and made a part hereof, shall be based on a ZONE FARE of \$0.15 U. S. currency for one adult passenger for continuous travel between any two points in any one fare zone without entering into another zone. This ZONE FARE will be called the base rate of fare.

For the purpose of interpreting these regulations, all persons over 12 years of age shall be called "adult passengers," and all persons under 12 years shall be called "children."

An increase of 50 per cent of the base rate will be allowed for each additional adult passenger, provided that this increase shall not be less than \$0.10 for each additional adult passenger. These charges shall apply to all persons except children, under 6 years of age accompanied by adult, who shall be carried free, and children between 6 and 12 years of age accompanied by adult, whose fare shall be one-half the tariff rate; children regardless of age, not accompanied by adult shall be charged the full tariff rate and where children under 6 years are accompanied by adult, one-half fare shall be charged for each child in excess of two.

SEC. II. The following examples will show method to be followed in figuring fares:

For two adult passengers carried between two points within the same fare zone, the fare will be the base rate of \$0.15 for first passenger, plus minimum increase of \$0.10 for second passenger, or a total of \$0.25 for both passengers.

For three adult passengers carried between two points within same fare zone, the fare will be the base rate of \$0.15 for first passenger, plus minimum increase of \$0.10 for each of the two additional passengers, or a total of \$0.35 for the three passengers.

For four or more passengers within same fare zone the rate will be figured in the same manner as shown in last two paragraphs.

SEC. III. For continuous travel between two points in different zones, the same method will also be followed, for example:

For one adult passenger the fare will be the base rate of \$0.15 for the first zone, plus the base rate of \$0.15 for each additional zone entered or crossed.

For more than one passenger carried between points in different zones the fare will be the total base rate for one passenger at end of trip, plus 50 per cent of total base rate for each additional passenger.

Thus, the fare for two or more passengers carried from one point in a zone to a point in an adjoining zone would be the base rate of \$0.15 for one passenger for first zone, plus the base rate of \$0.15 for same passenger in second zone or total base rate of \$0.30 for first passenger. For second passenger there will be added the 50 per cent of the total rate of \$0.30, or a total of \$0.45 for two passengers; for third passenger, add again 50 per cent of the total base rate of \$0.30, making total fare of \$0.60 for the three passengers.

SEC. IV. A base rate is established for travel between fare zones and certain specified interior locations in Canal Zone and Republic of Panama, outside of or not included in fare zones, base rate of fare of which will be for one passenger plus 50 per cent of base rate for each additional passenger, with the same provisions as to half-fares (rates for children); travel between established fare zones and beyond the interior locations in Canal Zone and Republic of Panama, specified in Schedules A and B, will be at hourly rate or by special agreement.

Where a trip begins or ends at a point beyond the established fare zones, at a location not specified in Schedules A and B, but not beyond the farthest location specified, the fare shall be the fare to and from the next farthest specified location. For example: Travel to and from Balboa fare zone to and from a point between the specified location of Diablo, the fare shall be the schedule fare between Balboa fare zone and Diablo interior location.

SEC. V. Any half-fares as established by regulations to be figured on same basis as shown in preceding sections, as an adult passenger and child between 6 and 12 years for travel between two points in same zone, base rate fare of \$0.15 for adult plus one-half of minimum fare of \$0.10 for child passenger or \$0.05, or total of \$0.20 for the two passengers; travel between points in different zones where half-fares are allowed, to be figured in same manner.

SEC. VI.

SCHEDULE A.

SOUTHERN DISTRICT.

The Southern District, Schedule A, includes the fare zones of:

1st Panama City Zone
Ancon Zone
Balboa Zone
Heights Zone
La Boca Zone
2d Panama City Zone
3d Panama City Zone and
Specified Location Table.

Fare zones are outlined and bounded as follows:

1st Panama City Fare Zone.

Entire area of Panama City embraced within line beginning at Panama City Market (embracing districts of San Felipe, Santa Ana, and Chorrillo) thence northerly following Panama Railroad main line and yards to San Miguel crossing, thence to Ancon laundry, thence following Chame Street, Ancon Boulevard, Frangipani Street, Gorgas Road to Ancon Hospital entrance and nurses' quarters, thence following Columbia Road to junction with Ancon hospital service road, thence southerly to junction of Canal Zone and Republic of Panama boundary line and Gavilan Road, (Includes Old Administration Building and Cable Heights) thence easterly and northerly following shore line to Panama City Market, the starting point.

Ancon Fare Zone.

Area within line beginning at San Miguel crossing, thence following line of Panama Railroad main line to Balboa railroad station, thence following Gorgona Road to Ancon Boulevard to Administration Building, thence following Heights Road to Cascadas Road, to Ancon Boulevard (including San Juan Place) to Frangipani Street, to Gorgas Road to Ancon Hospital entrance and nurses' quarters, thence following Columbia Road to junction with Ancon Hospital service road, thence southerly to junction 4th July Avenue and Balboa Road (includes Old Administration Building and Cable Heights), thence northerly following 4th July Avenue to Tivoli Avenue to starting point (San Miguel crossing).

NOTE.—It will be noted that the 1st Panama City Zone and the Ancon fare zone overlap, embracing certain same areas; this has been done in order to place within the Panama City fare zone certain locations in Ancon between which and Panama City there is a large amount of travel and thus enable passengers traveling between Panama City and certain locations in Ancon, and *vice versa*, to avoid being required to pay more than one fare.

Balboa Fare Zone.

Area within a line beginning at Balboa railroad station, thence following Roosevelt Avenue to Balboa Road, to Pier 18, thence following Docks 17, 16, 15, 14, 13, to Dock 9 and entrance to Balboa dry dock, thence southeasterly to junction of Union Place and La Boca Road, thence southeasterly to head of Empire Street, thence southeasterly to junction Canal Zone and Republic of Panama boundary line and Gavilan Road, thence following boundary line to Balboa Road to Morgan Avenue to Prado, thence easterly to Administration Building, thence following Ancon Boulevard to Gorgona Road, to starting point Balboa Railroad station.

Heights Fare Zone.

Area within line beginning Administration Building, Balboa Heights, thence southerly to head of Ridge Road, thence southerly to Quarry Heights military reservation including military headquarters and quarters within reservation north of Quarry Road, thence following Quarry Road to Gorgas Road to service road through Ancon Hospital wards, to Columbus Avenue to Gorgas Road to Darien and Sosa Place to Lion Hill Road to Cascadas Road to Heights Road, to starting point, Administration Building.

La Boca Fare Zone.

Area south of line beginning at entrance Balboa dry dock and following same southeasterly line as described in Balboa fare zone to junction of Canal Zone and Republic of Panama boundary line and Gavilan Road, La Boca fare zone will include the Radio, Fort Amador, and Quarantine Reservation, Coaling Plant, and La Boca town-site.

2d Panama City Fare Zone.

Districts of Calidona and Exposition, extending from Panama Railroad east to Bull Ring and including Peña Prieta.

3d Panama City Fare Zone.

District of Bella Vista including the bathing beach.

SPECIFIED LOCATIONS AND FARE ZONES.

PANAMA REPUBLIC AND CANAL ZONE.

Locations and Fare Zones.	Diablo.	Corozal.	Fort Clayton.	Filtration Plant and Locks, Miraflores.	Pedro Miguel.	Paraiso.	Las Sabanas Police Station	Golf Club.
1st Panama City.....								
2d Panama City.....								
3d Panama City.....								
Ancon.....	\$0.40	\$0.75	\$1.00	\$1.50	\$2.00	\$2.25	\$0.85	\$1.00
Balboa.....								
Heights.....								
La Boca.....								
Las Sabanas.....	.75	.75	1.25	1.75	2.25	2.50		.25
Golf Club.....	1.00	1.00	1.50	2.50	2.50	2.75	.25	
Shriner's Mosque, Ancon.....	Add 10 cents U. S. currency to Zone and Location Fares for each adult person carried to door of Mosque on upper level.							

For the purpose of computing fares between Panama City zones, Balboa, and La Boca fare zones, the shortest and most direct route between points in Panama City north and west of H Street and 15th Street, to points in La Boca and Balboa fare zones, shall be through Ancon fare zones by way of Ancon Boulevard; and for points south and east of H Street and 15th Street, by way of B Street and Balboa Road, and *vice versa*.

SEC. VII.

SCHEDULE B.

NORTHERN DISTRICT.

The Northern District, Schedule B, includes the fare zones of:

Colon City
Cristobal
Piers
Mount Hope and
Specified Location Table

Fare Zones are outlined and bounded as follows:

Colon City Fare Zone.

Entire area of Colon City and part of Old Cristobal north and east of line beginning at Cristobal Piers Entrance, thence along Roosevelt Avenue southeasterly to De Lesseps Building, to Columbus Avenue, to Canal Street, to Market Street, to Bolivar and 14th Streets, thence following Canal Zone and Republic of Panama boundary to Folks River.

Cristobal Fare Zone.

Area within line beginning at entrance to Piers, Roosevelt Avenue to Cristobal Fire Station, thence following Front Street to 8th Street, to Bolivar Street, to 14th Street, thence following Mount Hope Road to junction with E Street (Broadway), thence following Canal Zone and Republic of Panama boundary line to Folks River, thence following Mount Hope Road to Corral and Mount Hope silver quarters, including all quarters area north of line of Fort Randolph railroad branch line and including the Cristobal ball park, thence northwesterly to Coaling Station checking-in shed at Camp Bierd, to Camp Bierd Road to Canal Street, to Columbus Avenue, to Roosevelt Avenue to Piers entrance.

Pier Fare Zone.

Piers 6, 7, 8, 9, and Dock 10, and area within Piers enclosure, and area within line beginning at De Lesseps Building, Roosevelt Avenue and Columbus Avenue, and

Dock 10, thence along Columbus Avenue to Canal Street and Market Street, thence northeasterly to Bolivar and 14th Streets, thence following Bolivar Street to 8th Street, to Front Street, to Roosevelt Avenue to Piers' entrance.

NOTE.—It will be noted that the Colon fare zone, Cristobal fare zone, and Piers fare zone, overlap, embracing certain same areas; this has been done in order to place within the Cristobal fare zone, Colon City fare zone, and Piers fare zone, certain locations in Colon and Cristobal between which there is a large amount of travel, and thus enable passengers traveling between these locations to avoid being required to pay more than one fare.

Mount Hope Fare Zone.

Area south of line beginning at checking in shed Coaling Station at Camp Bierd, easterly to Mount Hope Road, to junction Mount Hope Road and Fort Randolph Road at Diversion; area including Cristobal Shops and Mount Hope Cold Storage Plant.

SPECIFIED LOCATIONS AND FARE ZONES.

PANAMA REPUBLIC AND CANAL ZONE.

Locations and Fare Zones.	France Field.	Coco Solo and Fort Randolph.	Brazos Brook.	Mindi Dairy.	Fort Davis.	New Gatun.	Gatun.
Colon City.....							
Cristobal.....	\$1.50	\$2.00	\$1.00	\$1.50	\$1.75	\$2.00	\$2.25
Piers and Mount Hope.....							

SEC. VIII. Where a trip begins on line between or meeting point of fare zones, the trip shall be presumed to begin within the first fare zone entered, and where the trip ends on the line between or meeting point of fare zones, the trip shall be presumed to have been completed within the last zone traversed.

SEC. IX. Where a trip begins in one fare zone and ends in the same fare zone, but the line of travel between these two points arbitrarily requires traversing another zone or zones, additional fares will be charged for each different zone entered or crossed. For example from La Boca townsite to Fort Amador the line of travel is through La Boca Zone, into Balboa Zone and back into La Boca Zone to Fort Amador. The charge in such case will be a base rate of \$0.15 for La Boca Zone, plus the base rate of \$0.15 for Balboa Zone, or a total base fare of \$0.30.

SEC. X. Vehicles shall, on request in advance by a passenger, operate on an hourly basis as follows:

Self-propelled vehicles—Three dollars for the first hour or fraction thereof, and \$2.50 for each subsequent hour or fraction thereof exceeding one-half hour. The subsequent hourly charge for one-half hour or fraction less than one-half, to be one-half of the subsequent hourly charge.

In computing the hourly rates for self-propelled vehicles, charges will be based on a maximum of four passengers not including the operator; for passengers exceeding four, a charge of \$0.50 per hour for each additional passenger may be made; charges for such additional passengers will be governed by same method of computing charges for fractional parts of hour as already outlined.

Horse-drawn vehicles—One dollar and 50 cents for the first hour or fraction thereof for one passenger, and \$0.25 additional for each additional passenger for the first hour or fraction thereof, and thereafter \$1.50 for each subsequent hour or fraction thereof exceeding one-half hour, without regard to number of passengers.

SEC. XI. When a vehicle is engaged at hourly rates at garage or public stand, time for purpose of computing fare shall begin when vehicle leaves garage or public stand.

When engaged at garage or public stand to call at another point for a trip between points within fare zones or specified locations, one base fare is authorized to be charged, for the travel, through zone or zones traversed, or to location, to the point where vehicle is boarded.

SEC. XII. Between the hours of 12 o'clock p. m. and 6 o'clock a. m. the rates set out in Schedules A and B and the hourly rates above established for self-propelling vehicles may be increased 50 per cent, and the hourly rates for horse-drawn vehicles may be increased 25 cents per hour.

SEC. XIII. In all cases where the computation of fare results in a fraction of five cents a full five cents in lieu of such fraction may be collected.

SEC. XIV. For the use of any vehicle a special fare may be agreed upon which shall take the place of the rates herein fixed, but if in any such case a dispute shall

arise the regular rate herein established shall govern unless the existence and terms of such special agreement be clearly shown. No charge shall in any case be made which is based upon the time of a delay not due to the fault of a passenger.

SEC. XV. A reasonable rate of speed shall be maintained at all times by all vehicles, and in travel between various zones or interior locations, the shortest and most direct available route of travel will be employed, unless agreement otherwise has been made between operator and passenger.

SEC. XVI. A vehicle not engaged shall not refuse to stop for a passenger who signals it plainly.

SEC. XVII. Public self-propelled vehicles when on public stands or under way shall display in English or Spanish a sign, 9 inches in length by 5 inches in width, affixed to the front of the vehicle behind the wind shield, which shall read on the one side "For Hire" in black 2-inch letters on white background and on the other side "Engaged," in white 2-inch letters on red background; signs to be affixed by swivel so that turning sign will denote status of vehicle. Sign to indicate at all times the exact status of the vehicle, whether engaged or unengaged.

SEC. XVIII. A copy of these regulations must be carried in every vehicle operating for hire and must be shown to passengers upon request. Upon application by the owners or licensees of such vehicle, The Panama Canal, or municipal authorities of Panama City or Colon, will furnish copies for this purpose.

A printed card showing hourly and zone fare rates must be carried prominently displayed inside each public vehicle, such cards to be furnished by The Panama Canal, or municipal authorities of Panama City or Colon.

SEC. XIX. Any person violating any provision of these regulations shall be punished as provided in Section 5 of the Act of Congress, approved August 21, 1916,⁶³² entitled "An Act extending certain privileges of Canal employees," etc.

SEC. XX. The Executive Order dated January 12, 1918,⁶³³ establishing maximum rates of fare and governing transportation of passengers for hire in the Canal Zone, and the Executive Order dated May 29, 1919,⁶³⁴ amending Sections 5 and 6 of the Executive Order dated January 12, 1918, are hereby repealed effective on the date on which these regulations shall take effect.

SEC. XXI. This order shall take effect on such date as may be fixed by the Governor of The Panama Canal.⁶³⁵

NEWTON D. BAKER,
Secretary of War.

February 26, 1921.

By the President.

Amending the Executive Order of Aug. 8, 1918, Concerning Passport Control so far as it Applies to the Entry of Aliens into the Panama Canal Zone.⁶³⁶

By virtue of the authority vested in me by the Act approved May 22, 1918, entitled "An Act to Prevent in Time of War Departure from and Entry into the United States Contrary to the Public Safety," I, Warren G. Harding, President of the United States of America, hereby amend the Executive Order of Aug. 8, 1918, relating to the "Rules and Regulations Governing the Issuance of Permits to Enter and Leave the United States," by the following provision:

Hereafter, aliens entering the Panama Canal Zone shall not be required to present passports visaed by consular officers of the United States, nor shall masters of vessels which are merely passing through the Canal, be required to submit crew lists visaed by American consular officers: *Provided, however,* That aliens coming to the continental United States or to insular possessions of the United States from the Panama Canal Zone shall be required to present passports visaed by consular officers of the United States at Panama City or Colon, unless they shall have resided in the Panama Canal Zone continuously for at least one year prior to their coming to the United States, or unless they shall have obtained American visas elsewhere: *And provided further,* That the names of aliens who ship in ports of the Canal Zone on vessels sailing therefrom to ports of the continental United States or its insular possessions

⁶³² Sec. 5 of that act provides for a fine not to exceed \$25 or by imprisonment in jail not to exceed 30 days, or by both such fine and imprisonment, in the court's discretion. (See T. & A. 130.)

⁶³³ p. 232.

⁶³⁴ p. 251.

⁶³⁵ By Circular No. 601-117, publishing above Executive Order, the Governor fixed May 1, 1921, as the effective date.

⁶³⁶ See sec. 11-a thereof, p. 242; see also amendment to same section by order of Secretary of State of July 12, 1919, p. 252.

must appear upon crew lists visaed by consular officers of the United States at Panama City or Colon, unless such aliens shall have resided continuously in the Canal Zone for at least one year prior to their coming to this country.

WARREN G. HARDING

THE WHITE HOUSE,
April 7, 1921.

[No. 3427.]

Order of the President of Apr. 8, 1921, to Amend Limits of Quarry Heights Military Reservation as Established by Executive Order of Dec. 22, 1919.⁶³⁷

WHEREAS Executive Order No. 3386, dated January 21, 1921, setting apart and describing an addition to the Quarry Heights Military Reservation incorrectly described the location of monument No. 12, as "on the contour of 150 feet elevation" when the same should have been described "on the contour of 325 feet elevation."

NOW, THEREFORE, said Executive Order is hereby amended to read as follows:

The area of land hereinafter described, situated in the Canal Zone, is hereby set apart and assigned to the uses and purposes of a military reservation under the jurisdiction of the Secretary of War, as an addition to and to be administered as a part of the Quarry Heights Reservation heretofore set apart by Executive Order No. 3202 of December 22, 1919; but said area shall be subject to the civil control and jurisdiction of the Governor of the Panama Canal, in conformity with the Panama Canal Act.

The boundaries of the said addition to Quarry Heights Reservation are described as follows:

The point of beginning is a brass plug in a concrete monument #10, which is N. 1° 51' W., 711.4 feet, more or less, from Ancon triangulation station; the coordinates of Ancon station are Lat. 8° 57' plus 2572.76 feet, Long. 79° 33' plus 883.66 feet; thence

1. S. 76° 6' E., 833 feet, more or less, to a brass plug in a concrete monument #11; thence

2. N. 12° 40' W., 645 feet, more or less, to concrete monument #12, which monument is on the contour of 325 feet elevation; thence

3. In a northwesterly direction following the 325-foot contour to concrete monument #13, which monument is on the extreme northern point of the 325-foot contour; thence

4. In a general southerly direction following the 325-foot contour to the intersection with the old boundary line between monument #9 and monument #10, this intersection being marked by concrete monument #14; thence

5. S. 75° 58' E., 382.6 feet to monument #10 which is the point of beginning.

Monuments #10, #11, and #9 are the same as used in Executive Order of December 22, 1919, in describing the boundary of Quarry Heights Reservation.

All bearings refer to the true meridian.

WARREN G. HARDING.

THE WHITE HOUSE,
April 8, 1921.

Relating to Licensing of Vehicles, Road Rules, Use of Lights, Tags, and Signals, and Speed Regulations in the Canal Zone.⁶³⁸

By virtue of the Act of Congress entitled "An Act extending certain privileges of Canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits," approved August 21, 1916,⁶³⁹ I hereby establish the following Executive Order for the Canal Zone:

Section 1. The Governor of The Panama Canal is hereby authorized to promulgate rules and regulations from time to time to carry out this Order.⁶⁴⁰

⁶³⁷ p. 256.

⁶³⁸ See also order of Oct. 9, 1918, p. 247, relating to licensing of chauffeurs; and order of Apr. 14, 1921, p. 283, relating to operation of vehicles.

⁶³⁹ T. & A. 130-132.

⁶⁴⁰ See circulars Nos. 717-3 and 727 issued by the Governor under authority of this section.

Sec. 2. The term "motor vehicle," as used herein, shall apply to and include every vehicle which may be drawn or propelled by means of steam, gas, naphtha, fluid, electricity, or other similar motor power: *Provided*, That when a bicycle is equipped with a contrivance commonly known as a motor wheel, such bicycle shall be deemed a motorcycle and included in the term "motor vehicle."

Sec. 3. The term "vehicle," as used herein, shall apply to and include equestrians, horses led, and everything on wheels or runners, whether propelled by man, animal, or mechanical energy, except street cars, baby carriages, roller skates, and coasters.

Sec. 4. The term "public notice," as used herein shall apply to and include every form of order issued by the Governor of The Panama Canal, agreeably to the provisions of this Order, whether such order be printed and published in circular, bulletin, or poster, or indicated by signs or printing placed on or along the roads and streets of the Canal Zone.

Sec. 5. There shall be collected on vehicles owned by residents of the Canal Zone and operated therein, an annual license fee as follows:

For each passenger automobile for personal use only, five dollars (\$5).

For each automobile of twenty-nine horsepower, or less, used for carrying passengers for hire twenty dollars (\$20).

For each automobile of more than twenty-nine horsepower, used for carrying passengers for hire, thirty dollars (\$30).

For each truck or omnibus of 1-ton capacity or less, twenty dollars (\$20).

For each truck or omnibus of a capacity of more than 1 ton but less than 3 tons, thirty dollars (\$30).

For each truck or omnibus of a capacity of 3 tons or more, forty dollars (\$40).

For each motorcycle, two dollars (\$2).

For each bicycle, one dollar (\$1).

For each animal-drawn vehicle employed in the transportation of passengers for hire, twelve dollars (\$12).

For each animal-drawn vehicle employed in the transportation of freight, merchandise or other property, or employed by any merchant in the transportation of any merchandise; twenty dollars (\$20) for each 2-wheeled vehicle; and thirty dollars (\$30) for each 4-wheeled vehicle.

A 30-day vehicle license will be issued for a fee of 50 cents United States currency to a *bona fide* tourist in the Canal Zone who has brought his own vehicle with him, providing the machine carries a current license plate of some State of the United States. In such cases the United States tag will suffice, and no Canal Zone tag will be issued.

In case of a dispute as to the horsepower or capacity of a vehicle, the issue shall be referred to the Board of Local Inspectors, and the decision of the Board thereon shall be final.

License fees shall be paid for the calendar year; but if any part of the calendar year shall have expired when the license is taken out, then the license fee to be paid shall be proportioned, on a quarterly basis, to the part of the calendar year remaining, including therein the calendar quarter in which the license is paid; but the Governor shall have authority to issue license at rates proportionate to the rates in the above schedule, in such special cases as he may deem proper.

Licenses heretofore issued shall continue in force, and the licensees shall not be required to pay fees hereunder until the licenses previously issued to them shall have expired.

Sec. 6. Before any vehicle mentioned in Section 5 shall be used and operated in the Canal Zone, such vehicle shall be licensed to do so by the Executive Secretary, or the official acting under his authority.

Sec. 7. Except as to the requirements for payment of license fee provided in Section 5, this Order shall apply to and include all vehicles owned and operated by the United States Government, The Panama Canal, and the Republic of Panama.

Sec. 8. Vehicles owned by residents of the Republic of Panama and operated in the Canal Zone, shall pay the same annual license fee as is imposed by the Republic of Panama on vehicles owned by residents of the Canal Zone and operated in the Republic of Panama; *Provided*, That the Governor of The Panama Canal may enter into arrangements with the authorities of the Republic of Panama by which any class or classes of vehicles owned by residents of the Canal Zone and operated in the Republic of Panama may be exempted from the payment of license fees in the Republic of Panama, or required to pay fees at a reduced rate, and any class or classes of vehicles owned by residents of the Republic of Panama and operated in the Canal Zone may be exempted from the payment of license fees in the Canal Zone, or required to pay fees at a reduced rate.

Sec. 9. Whenever any vehicle licensed in the Canal Zone shall, before the period for which the license is taken expires, be sold or transferred by the licensee to some other person who may desire to continue the use and operation of such vehicle over the streets and roads of the Canal Zone, such transferee, within 10 days after such sale or transfer, by application to the Executive Secretary, or the official acting under his authority and upon submission of satisfactory evidence of such purchase or transfer, shall have the license transferred to him by endorsement thereon by the Executive Secretary, or the official acting under his authority, authorizing such transferee to operate such vehicle under such license, without the payment of any additional charge or fee.

Sec. 10. The Governor of The Panama Canal is hereby authorized to exempt from the payment of license fees hereunder vehicles operated exclusively within certain areas or districts of the Canal Zone to be defined by him, and the Governor is also authorized by public notice to prohibit vehicles of any or all kinds from operating on such portions of the roads and streets in the Canal Zone as he may designate, when, in his judgment, the public interest requires it; or he may permit any of said vehicles to be operated in any areas or districts designated by him, upon such conditions as he may deem necessary and convenient for the welfare of The Panama Canal; and, for the purposes of this Order, the Governor is also authorized to define by public notice the limits of towns and villages in the Canal Zone; *Provided*, That the authority herein granted the Governor to define by public notice the limits of towns and villages shall not be construed or interpreted to in any wise amend or modify the provisions of the Executive Order of March 12, 1914, relative to the designations and boundaries of towns in the Canal Zone.

Sec. 11. Each motor vehicle and bicycle issued a license to operate over the roads or streets of the Canal Zone shall at all times carry thereon, at a conspicuous place at the rear thereof, a metal tag bearing thereon, in large numerals, the number of the license for such vehicle, the letters and numbers of which shall be kept at all times in a legible condition, and on motor vehicles during the period when vehicles are required to display lights, such license tag shall be illuminated so as to be plainly visible at a distance of at least 60 feet. The aforesaid numeral tag shall be obtained from the Executive Secretary, or the official acting under his authority, at the time the license is issued.

Sec. 12. The Executive Secretary shall cause to be kept a register, wherein shall be numbered in consecutive order all licenses granted by him under this Order, with the names of the licensees and a brief description of the vehicle licensed. Such register shall be a public record, and the information shown by such register shall be furnished to the Chief, Police and Fire Division.

Sec. 13. In the use and operation of vehicles over the Canal Zone roads or streets, the following rules shall be observed, viz: All vehicles, in meeting and passing other vehicles, or in being overtaken and passed by other vehicles, shall keep to the left of the road; and in overtaking and passing other vehicles they shall keep to the right. The owner of a vehicle, if riding therein or thereon, shall be held jointly responsible with the person operating such vehicle for the use and operation thereof, agreeably to the provisions of this section; in the absence of the owner, the person using and operating such vehicle shall be held responsible.

Sec. 14. All motor vehicles shall, when being used and operated on any of the roads or streets of the Canal Zone, between the hours of 6 p. m. and 6 a. m., carry and prominently display lights as follows: Automobiles or motor vehicles of similar construction, two bright front or headlights placed one on each side and one red light at the rear; motorcycles without sidecar, one bright front or headlight, and one red light at the rear; motorcycles with side car, two bright front or headlights placed one each on front of motorcycle proper and front of side car, and one red light at rear.

Sec. 15. All bicycles shall, when being operated on any of the roads or streets of the Canal Zone between the hours of 6 p. m. and 6 a. m., carry and prominently display lights as follows: One bright front or headlight.

Sec. 16. All animal-drawn passenger vehicles shall, when being operated on the roads or streets of the Canal Zone between the hours of 6 p. m. and 6 a. m., carry and prominently display lights as follows: Two bright front or headlights placed one on each side, and one red light at rear; *Provided*, That each animal-drawn vehicle employed in the transportation of freight, merchandise, or other property, may in lieu of front or headlights and rear red light, display one bright light visible both front and rear suspended beneath the vehicle.

Sec. 17. The use of flare lights on vehicles within the limits of any town or village in the Canal Zone is hereby prohibited; and on roads outside of any town or village

limits the operators of vehicles shall extinguish their flare lights at least three hundred (300) feet from an approaching vehicle, and shall pass such approaching vehicle with the use of their dimmer lights only.

Sec. 18. It shall be unlawful to drive or operate a vehicle over the roads of the Canal Zone outside of town or village limits, at a speed exceeding twenty-five (25) miles an hour on straight roads, or at a speed exceeding twelve (12) miles an hour when approaching or traversing curves, forks, or cross roads, or when traveling over the streets or roads of any town or village of the Canal Zone, or when approaching another vehicle. The owner of a vehicle, if riding therein or thereon, shall be held jointly responsible with the person operating such vehicle for its speed. In the absence of the owner the person actually operating the vehicle shall be held responsible.

Sec. 19. A vehicle shall not pass another vehicle moving the same direction on curves where the road is not visible more than two hundred (200) feet ahead.

Sec. 20. All motor vehicles and bicycles operated on roads and streets of the Canal Zone must be equipped with a suitable sound device such as a horn or bell whereby signals of warning shall be given by the operator.

Unnecessary use of warning signals is prohibited; such signals shall only be used in giving necessary warning.

Sec. 21. Every motor vehicle operated in the Canal Zone shall be provided with a muffler so complete in construction as to prevent any intense, prolonged, or unnecessary noise in the operation or management of such motor vehicle or the machinery in connection therewith, and said muffler shall not be cut out or put out of operation in any town or village in the Canal Zone, nor where horses are present, nor for the purpose of warning of the approach of the motor vehicle. The operator of every motor vehicle in the Canal Zone shall stop the motor of such vehicle when the vehicle is not in motion, provided said operator leaves his vehicle.

Sec. 22. All vehicles except bicycles and animals when parked between the hours of 6 p. m. and 6 a. m., on such roads or streets of the Canal Zone as may be designated by the Governor of The Panama Canal, except in such spaces as are specifically set apart for parking purposes, shall display one red light in rear, and at least one bright front or headlight on road side of vehicle; or, in the case of animal-drawn vehicles employed in the transportation of freight, merchandise, or other property, with bright light visible both front and rear suspended beneath vehicle. A vehicle will be considered as parked when it remains in same position on road longer than time necessary to allow passengers to embark or disembark, or vehicle to be loaded or unloaded.

Parking of vehicles is prohibited within fifteen (15) feet of any fire plug.

Parking of vehicles is also prohibited on such curves and spaces as designated by public notice.

It is prohibited to park a vehicle on any road or street of the Canal Zone on opposite side of road or street closer than thirty (30) feet from the front line or rear line of a vehicle already parked.

Sec. 23. No person shall propel, permit, or allow to be propelled or driven any vehicle on, over, or across any fire hose wheresoever situated; or obstruct, delay, hinder, or impede any fire apparatus or vehicle while in public use; or obstruct, delay, hinder, or impede any member of the Fire Division while engaged in the discharge of his duty along, over, on, or about any of the roads, streets, or other public spaces or places within the Canal Zone; or pass or ride in or on any vehicle in front of or at the side of any apparatus or vehicle of the Fire Division, or of the officers and agents thereof, when engaged in public service; or interfere with, hinder, delay, or impede the driver or operator of any fire apparatus or vehicle of the Fire Division, while engaged at or about any fire, or at any other place while in the discharge of his duty.

All vehicles in motion on the streets and roads of the Canal Zone shall, on notice of the approach of any fire apparatus vehicle of the Fire Division immediately draw up to the side of the street or road, and stop until such fire apparatus vehicle has passed.

Sec. 24. Articles of personal property left in public vehicles must be, when found by operator of vehicle, delivered without delay to the nearest police station. Failure of operator of vehicle to comply with this regulation will be considered cause for revocation of operator's chauffeur license in addition to any penalty which may be prescribed for larceny of property.

Sec. 25. The operator of any vehicle concerned in any accident on any street, road or other place in the Canal Zone, whether involving injury to person or to property, shall remain at the scene of the accident until the arrival of the police authorities, or shall communicate without delay to the nearest police authorities a full report of the accident in which he was involved. Any concealment of identity of person or property in an accident in which involved shall be a violation of this Order.

Sec. 26. The operation, management, driving or riding of any vehicle on any of the roads or streets of the Canal Zone in a reckless or negligent manner shall be a violation of this Order.

Sec. 27. The ordinance of the Isthmian Canal Commission of August 25, 1910,⁶⁴¹ and approved by the Secretary of War, October 31, 1910, providing for licensing and regulation of motor vehicles in the Canal Zone, and the ordinance of the Isthmian Canal Commission of April 9, 1912,⁶⁴² approved by the Secretary of War May 1, 1912, amending Section 1 of the above-mentioned ordinance; ordinance of the Isthmian Canal Commission of April 15, 1911,⁶⁴² approved by the Secretary of War, April 26, 1911, providing for the licensing and regulation of bicycles in the Canal Zone; Executive Order of February 28, 1912,⁶⁴³ relative to speed limits and rules of the road in the Canal Zone; Sections 1 and 2 of the Executive Order of October 13, 1914,⁶⁴⁴ providing for licenses and taxes and fees; and the Executive Order of September 5, 1916,⁶⁴⁵ relating to motor vehicles, and their operation in the Canal Zone, are hereby repealed.

Sec. 28. Any person violating any of the provisions of this Order shall be punished in the manner prescribed in Section 5 of the Act of Congress, approved August 21, 1916,⁶⁴⁶ and entitled: An Act extending certain privileges of Canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits.

Sec. 29. This order shall take effect 30 days from and after this date.

WARREN G. HARDING.

THE WHITE HOUSE,
April 14, 1921.

Amending the Executive Order of Aug. 8, 1918, to Permit Temporary Stop-Overs at Ports of the United States without the Requirement of Visaed Passports.

By virtue of the authority vested in me by the Act approved May 22, 1918,⁶⁴⁷ entitled "An Act to Prevent in Time of War Departure from and Entry into the United States Contrary to the Public Safety," I, Warren G. Harding, President of the United States of America, hereby amend the Executive Order of August 8, 1918,⁶⁴⁸ relating to the "Rules and Regulations Governing the Issuance of Permits to Enter and Leave the United States," by the following provision:

Aliens who are passengers on vessels calling, while en route to foreign destinations, at ports of the United States, including outlying territories and insular possessions, may be allowed to land at these ports without visaed passports, provided that they land merely for the limited periods of time during which the vessels may lie over at the ports mentioned, and provided also, that they continue their voyages on the same vessels. These exceptions are made for the benefit of passengers who desire to land temporarily for purposes of sightseeing or other legitimate objects. Aliens landing with the intention of remaining for a longer period are required to present visaed passports. It will be the duty of the masters of the vessels to satisfy the Immigration authorities that passengers who obtain permission to land temporarily will not remain on shore after the departure of the vessels. Appropriate instructions upon this subject will be sent by the Department of Labor to Immigration officials at sea-ports. The names of all passengers of the class mentioned who fail to reembark and continue their voyages shall be reported by the Immigration authorities at the ports to the Department of Labor and the Department of State, for appropriate action.

WARREN G. HARDING.

THE WHITE HOUSE,
May 12, 1921.

⁶⁴¹ L. C. Z. 274.

⁶⁴² L. C. Z. 281.

⁶⁴³ p. 128.

⁶⁴⁴ p. 201.

⁶⁴⁵ p. 216.

⁶⁴⁶ T. & A. 130.

⁶⁴⁷ T. & A. 191.

⁶⁴⁸ p. 242.

Order of the President of May 16, 1921, revoking Executive Order of November 16, 1918, relating to maximum pay for non-civil service clerks.

The Joint Resolution of March 3, 1921,⁶⁴⁹ declaring that certain Acts of Congress, joint resolutions, and proclamations shall be construed as if the war with Germany and Austria-Hungary had ended and the present or existing emergency expired, provides, among other things, that in interpreting the provisions relative to the duration or termination of the war "the date when this resolution becomes effective shall be construed and treated as the date of the termination of the war or of the present existing emergency." Therefore, all Executive Orders and amendments to the civil service rules authorizing appointments, promotions or removals without full compliance with the civil service laws and rules, because of war emergencies existing at the time, are hereby revoked.

A list of the orders revoked by this Order is as follows, to wit:

* * * * *

45. Executive Order of November 16, 1918,⁶⁵⁰ amending Schedule A, Subdivision I, paragraph 15, to permit appointments to clerical positions in the Federal service on the Isthmus of Panama at not more than \$106 a month, without examination, during the unusual conditions due to the war, and to continue not longer than 6 months from the end of the war. This amendment raised the salary at which appointments could be made, without examination, from \$75 a month to \$106 a month.

Employees appointed under the orders which are hereby revoked, serving in positions which are permanent under peace conditions, shall not hereby be given a competitive classified status, but may, in the discretion of the head of the department or independent establishment where now employed, continue in their present excepted status and in their present positions or such allied positions as the Commission may approve.

THE WHITE HOUSE,
May 16, 1921.

WARREN G. HARDING.

Amending the Executive Order of August 8, 1918, concerning passport control so far as it applies to the entry of aliens into the Panama Canal Zone.

By virtue of the authority vested in me by the Act approved May 22, 1918, entitled "An Act to Prevent in Time of War Departure from and Entry into the United States Contrary to the Public Safety," I, Warren G. Harding, President of the United States of America, hereby amend the Executive Order of August 8, 1918,⁶⁵¹ relating to the "Rules and Regulations Governing the Issuance of Permits to Enter and Leave the United States," by the following provisions:

Hereafter, aliens entering the Panama Canal Zone shall not be required to present passports visaed by consular officers of the United States, nor shall masters of vessels which are merely passing through the Canal, be required to submit crew lists visaed by American consular officers: *Provided, however,* That aliens coming to the continental United States or to insular possessions of the United States from the Panama Canal Zone, shall be required to present passports visaed by consular officers of the United States at Panama City or Colon, unless they shall have resided in the Panama Canal Zone continuously for at least one year prior to their coming to the United States, or unless they shall have obtained American visas elsewhere: *And provided further,* That the names of aliens who ship in ports of the Canal Zone on vessels sailing therefrom to ports of the continental United States or its insular possessions must appear upon crew lists visaed by consular officers of the United States at Panama City or Colon, unless such aliens shall have resided continuously in the Canal Zone for at least one year prior to their coming to this country.

THE WHITE HOUSE,
April 7, 1921.

WARREN G. HARDING.

[No. 3427.]

[Superseded by Executive Order of October 18, 1921.]

Order appointing a Special Panama Canal Commission.

WAR DEPARTMENT,
WASHINGTON.

June 6, 1921.

Brig.-Gen. W. D. CONNOR, U. S. A., *Chairman*,
Capt. ALFRED BROOKS FRY, U. S. N. R.,
Mr. H. P. WILSON and
Mr. F. A. MOLITOR.

DEAR SIRS:

By direction of the President, you are hereby appointed a Special Panama Canal Commission to investigate and report upon existing conditions relating to the care,

⁶⁴⁹ T. & A. 230.

⁶⁵⁰ p. 249.

⁶⁵¹ p. 242.

maintenance, sanitation, operation, and government of The Panama Canal and Canal Zone, including all matters affecting the Panama Railroad and the Panama Railroad Steamship Line, and to make recommendations relative to any changes in such conditions affecting the organization, government, and operation of The Panama Canal and Canal Zone, and the operations of the Panama Railroad Company, which you may deem advisable.

It is desired that you make a broad and comprehensive examination into all matters having any pertinent bearing upon the efficient, effective, and economical operation of all Panama Canal and Panama Railroad Company facilities on the Isthmus, as well as those affecting the operation of the Panama Railroad Steamship Line. Special inquiry and recommendation should be made regarding the number of employees of The Panama Canal and Panama Railroad and the wages and salaries paid to them, including bonuses, privileges, and other perquisites enjoyed by them. I have verbally given you a general statement of some of the matters which I believe should be investigated, but it is not intended to limit you to any particular line of inquiry and you should, therefore, make all investigations which you deem necessary with a view to making constructive recommendations for such reorganization of The Panama Canal and Zone Government and Panama Railroad Company's affairs as may be considered advisable. In this connection your attention is invited to the Panama Canal Act of August 24, 1912 (37 Stat., 560), which is the organic act providing the manner in which the Panama Canal shall be operated and maintained and the Canal Zone governed.

I do not wish to limit you as to the time to be taken in your investigation, but would suggest that you visit the Canal Zone as soon as convenient and complete your work and submit your report to me at the earliest practicable time consistent with a thorough inquiry into all the matters which should be investigated.

You are authorized to hold such hearings as may be considered advisable on the Isthmus and should give everyone entitled to be heard an opportunity to testify before your Commission or any member thereof, as may be determined, or to submit written statements for your information and consideration.

The Washington Office of The Panama Canal will detail one of its employees to act as a confidential clerk-stenographer for duty with the Commission and is also authorized to appoint Mr. E. H. Van Fossan as Secretary to the Commission. The Governor of The Panama Canal will furnish such other clerical assistance and any other assistance that may be necessary, and the authorities of The Panama Canal and Panama Railroad Company will furnish all available information desired by the Commission.

The Commanding General of the Panama Canal Department may be called upon by the Chairman of the Commission for any assistance or information that he may be able to render to facilitate the work of the Commission.

The Members of the Commission shall be compensated for their services by the payment of a sum equal to such actual and necessary living expenses, including transportation, as may be approved by the Secretary of War while engaged in the performance of their duties from the time of leaving their homes or stations in the United States, or from the time of leaving the place whence they proceed to travel to the Isthmus in compliance with this order, and until the time they return to their homes or stations in the United States, and such other amount as may be subsequently fixed by the Secretary of War upon the completion of their duties on the Commission, including payment for such expenses for clerical and other assistants as they may deem necessary, such expenses to be paid on approval of the Secretary of War. They and their clerical and other assistants shall be furnished transportation to and from the Canal Zone either on Army transports, on vessels of the Panama Railroad Company or by commercial lines, free transportation over the Panama Railroad, and such other transportation as may be necessary when traveling on official business on the Isthmus; they shall also be allowed the ordinary privileges of Government employees on the Isthmus, including employee's rates at the hotels and restaurants of The Panama Canal, or of the Panama Railroad Company on the Isthmus.

Yours, very truly,

JOHN W. WEEKS,
Secretary of War.

Amending the provisions of the Executive Order of August 8, 1918,⁶⁵² concerning travel between the United States and neighboring countries, and authorizing the requirement of crew lists.

By virtue of the authority vested in me by the Act of Congress approved the twenty-second day of May, one thousand, nine hundred and eighteen, entitled, "An

⁶⁵²Ibid.

Act to Prevent in Time of War Departure From and Entry into the United States Contrary to Public Safety," and with reference to the Presidential Proclamation and Executive Order of August eight, one thousand, nine hundred and eighteen, adopted in pursuance thereof, I hereby prescribe the following amendments to said Executive Order:

* * * * *

III.

CREW LISTS.

1. Masters of vessels of all nationalities sailing for a port of the United States of America or of any of its possessions, except the Panama Canal Zone, must submit for visa a list of all of the alien members of the vessel's crew to the American consular officer at the port from which the vessel commences its voyage. If there is no American consular officer stationed at that port, the crew list should be submitted at the first port of call (if the vessel touches at any other port) where an American consular officer is located. This does not refer to consular agents, who are not authorized to visa crew lists.

2. When a vessel sails from a port where no American Consul is stationed, but which is within a few hours reach by mail of an American Consulate, so that unreasonable delay and serious loss would not result from referring the crew list to such Consulate, it should be referred thereto for visa.

3. If an alien seaman whose name is not included in a visaed crew list arrives at a port of the United States he shall not be allowed to land except upon the permission of the Secretary of State.

WARREN G. HARDING.

THE WHITE HOUSE,
June 25, 1921.

[No. 3505.]

Landing and operation of submarine cables in the United States.

By virtue of the authority vested in me by the Act approved May 27, 1921, entitled "An Act Relating to the landing and operation of submarine cables in the United States," I hereby direct that the Secretary of State shall receive all applications for licenses to land or to operate such cables and, after obtaining from any department of the Government such assistance as he may require, shall advise the President with respect to the granting or revocation of such licenses.

WARREN G. HARDING.

THE WHITE HOUSE,
July 9, 1921.

[No. 3513.]

To Amend the "Rules and Regulations for the Operation and Navigation of the Panama Canal and Approaches Thereto, Including All Waters Under its Jurisdiction."

1. By virtue of the authority vested in me under the Panama Canal Act, paragraphs 40, 186 and 195 of the "Rules and Regulations for the Operation and Navigation of the Panama Canal and Approaches Thereto Including All Waters Under Its Jurisdiction," promulgated by the Executive Order of July 9, 1914,⁶³ are hereby amended to read as follows:

"40. As soon as radio communication can be established with the Canal, vessels should report their names, nationality, length, draft, tonnage, whether or not they desire to pass through the Canal, require coal, provisions, supplies, repairs, to go alongside of a wharf, the use of tugs, probable time of arrival, length of stay in port, or any other matters of importance or interest. If this information has been previously communicated, through agents or otherwise, to the Captain of the Port, it will not be necessary to report by radio; but the probable time of arrival should always be sent to the Captain of the Port."

"186. Steamers while within a harbor must take all precautions to avoid the issue of sparks or excessive smoke. Vessels will be held liable for all damage resulting from neglect of this rule."

⁶³ p. 178.

"195. All privately owned boats of every description, except those propelled in whole or in part by machinery, shall be registered and numbered; those propelled in whole or in part by machinery shall be registered and certificated. Until these requirements have been complied with, no privately owned craft may operate in Canal Zone waters."

II. This order shall take effect from and after this date.

WARREN G. HARDING.

THE WHITE HOUSE,
July 27, 1921.

[No. 3522.]

Amending the Executive Order of August 8, 1918, concerning passport control so far as it applies to the entry of aliens into the Panama Canal Zone.

By virtue of the authority vested in me by the Act approved May 22, 1918, entitled "An Act to Prevent in Time of War Departure from and Entry into the United States Contrary to the Public Safety," as extended by the Act approved March 2, 1921, entitled "An Act Making Appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922," I, Warren G. Harding, President of the United States of America, hereby amend the Executive Order of August 8, 1918,⁶⁵⁴ prescribing "Rules and Regulations Governing the Issuance of Permits to Enter and Leave the United States," by the following provision:

Hereafter, aliens entering the Panama Canal Zone shall not be required to present passports visaed by consular officers of the United States, nor shall masters of vessels which are merely passing through the Canal, be required to submit crew lists visaed by American consular officers: *Provided, however*, That aliens coming to the continental United States or to insular possessions of the United States from the Panama Canal Zone shall be required to present passports, visaed by consular officers of the United States at Panama City or Colon, unless they shall have resided in the Panama Canal Zone continuously for at least one year prior to their coming to the United States, or unless they shall have obtained American visas elsewhere: *And provided further*, That the names of aliens who ship in ports of the Canal Zone on vessels sailing therefrom to ports of the continental United States or its insular possessions must appear upon crew lists visaed by consular officers of the United States at Panama City or Colon, or by the Shipping Commissioner or Deputy Shipping Commissioner or Deputy Shipping Commissioners of the Canal Zone.

When the crew list is visaed by the Shipping Commissioner or a Deputy Shipping Commissioner, the usual consular fee will not be collected for such service.

The Executive Order of April 7, 1921, concerning this subject, is hereby revoked.

WARREN G. HARDING.

THE WHITE HOUSE,
October 18, 1921.

[No. 3562.]

Piers at Hoboken and use thereof by the Panama Railroad.⁶⁵⁵

Whereas, Under the provisions of Section 17 of the Act approved June 5, 1920, entitled "An Act to provide for the promotion and maintenance of the American merchant marine, etc.," the Shipping Board "is authorized and directed to take over on January 1, 1921, the possession and control of, and to maintain and develop, all docks, piers, warehouses, wharves and terminal equipment and facilities, including all leasehold easements, rights of way, riparian rights and other rights, estates and interests therein or appurtenant thereto, acquired by the President by or under the Act entitled 'An Act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, etc.,'" and

Whereas, By a further provision of said Section 17, "the President may at any time he deems it necessary, by order setting out the need therefor and fixing the period of such need, permit and transfer the possession and control of any part of the property taken over by or transferred to the Shipping Board under this section to the War Department or the Navy Department for their needs;" and

Whereas, The piers known as the Hoboken piers, formerly the property of the North German Lloyd and Hamburg-American Steamship Companies were acquired by the President under the Act referred to in paragraph I of Section 17 of the Act of June 5, 1920, hereinbefore recited, and are therefore subject to the provisions of said Section 17; and

⁶⁵⁴ p. 242.

⁶⁵⁵ See also order of Oct. 2, 1920, p. 275.

Whereas, By Executive Order No. 3350 it was determined that the War Department retain of such property, Piers 1, 4, 5, and 6, together with the north half of the slip lying between Piers 1 and 2, south half of slip lying between Piers 3 and 4, and all of slips lying between Piers 4, 5, and 6; also bulkhead opposite Pier 1, bulkhead opposite slip between Piers 1 and 2, south half of bulkhead opposite slip between Piers 2 and 3, and bulkheads opposite Piers 3, 4, 5, and 6, and the slips lying between the last mentioned piers; also the second floor of bulkhead opposite Pier 1, bulkhead opposite slip between Piers 1 and 2, south half of bulkhead between Piers 2 and 3 and bulkheads opposite Piers 3, 4, and 5, and the slips lying between the last named piers; also the offices on third floor of bulkhead Piers 1 to 3, inclusive, and the yard space opposite Piers 1 to 6, inclusive, together with all buildings located thereon; and

Whereas, By Executive Order No. 3549, dated September 19, 1921, it was determined that it was unnecessary for the War Department to retain Piers 5 and 6 and it was directed that possession and control of same revert to the United States Shipping Board; and

Whereas, The possession and control by the War Department of the remaining portions of the property described in Executive Order No. 3350 are no longer necessary; now

Therefore, I do hereby determine that the possession and control, by the War Department, of the property retained by Executive Order No. 3350 and not heretofore transferred to the United States Shipping Board, is unnecessary and direct that such property revert to the United States Shipping Board in its present condition; subject, however, to the use by the Panama Railroad Steamship Line of berthing space at Pier 1 for not exceeding two vessels at any one time for its regular service to Panama, the Panama Railroad Steamship Line to pay the usual commercial rates for such berthing; provided, however, that the transfer of Pier 4 and the bulkhead opposite Pier 4 shall be effected on or about November 15, 1921.

WARREN G. HARDING.

THE WHITE HOUSE,
November 2, 1921.

[No. 3573.]

Tolls exemption for vessels transiting the Canal for repairs.

By virtue of authority vested in me under Section 5 of The Panama Canal Act, approved August 24, 1912, I, Warren G. Harding, President of the United States of America, hereby establish the following Executive Order in connection with the payment of tolls to be effective immediately:

1. Vessels transiting The Panama Canal from Cristobal to Balboa and return, for the sole purpose of having repairs made at the Balboa dry dock and shops, will be exempt from the payment of tolls as prescribed in the Proclamation of the President of the United States dated November 13, 1912,⁶⁵⁶ but in lieu thereof shall pay charges for pilotage, towage; and lockages for such transit at rates based on cost as determined by the Governor of The Panama Canal from time to time.

2. Should a vessel, after having made the transit from Cristobal to Balboa under the above conditions, decide not to return to Cristobal, or should it discharge or receive cargo, passengers, mail, or baggage at Balboa or accomplish anything else for which vessels usually transit the Canal other than to have repairs made, tolls will be collected for the transit from Cristobal to Balboa at the prescribed rates before such vessel will be given a clearance and allowed to proceed, the amount previously collected for lockage and pilotage through the Canal being applied as part payment thereof.

WARREN G. HARDING.

THE WHITE HOUSE,
November 17, 1921.

[No. 3581.]

Conditions of employment.

By virtue of the authority vested in me, it is hereby ordered:

1st. Pursuant to the provisions contained in paragraph 17 of the Executive Order of February 2, 1914,⁶⁵⁷ fixing conditions of employment governing employees of The

⁶⁵⁶p. 131.

⁶⁵⁷p. 158.

Panama Canal and Panama Railroad Company on the Isthmus of Panama, a charge will be made for rent, fuel, electric current, water, and services in connection with quarters, on and after January 1, 1922.

RENT.⁶³⁸

2d. The rental will be based on the present average depreciated value of the area occupied by the tenant, to be determined by the Governor of The Panama Canal. The rental will be sufficient to amortize the investment in quarters on the basis of a total average life of 36 years, to return five (5) per cent for amortization and interest on the investment, and in addition cover the amount fixed for expenditure for repairs due to ordinary wear and tear of buildings and for the disposal of garbage and other services necessary from a sanitary point of view. The rental for bachelor quarters and for nonhousekeeping married quarters may be fixed to include all miscellaneous services which are rendered. The rental of buildings hereafter erected shall be fixed so as to conform with rentals theretofore charged for similar buildings.

3d. Charges for fuel, electric current, and water will be based upon cost; where meters are not installed, the charge for water will be based upon the average consumption, and the charge for current upon the number of lamps or other devices installed.

4th. Miscellaneous work, such as repainting interior of houses, repairing electric fixtures, breakage in screens, furniture and stoves, plumbing, etc., and the cutting of grass and trimming of hedges around quarters, will be done upon request of tenants and charges for such services will be made on the basis of cost. Any repairs made necessary by reason of a tenant's misuse of the premises or any property therein, will be made by The Panama Canal and the cost therefor collected from such tenant.

5th. The Governor of The Panama Canal is charged with the duty of issuing such instructions as may be necessary to carry out this order and to fix charges as herein outlined, subject to the general instructions provided.

WARREN G. HARDING.

THE WHITE HOUSE,
December 3, 1921.

[No. 3585.]

⁶³⁸ pp. 159, 207, 213.

RULES OF COURT.

By virtue of the authority vested in me by Act of August 24, 1912, c. 390, sec. 8, it is

ORDERED, That the within Rules of Court shall be in force in the United States District Court, in and for the Canal Zone, on and after this date.

All previous orders in conflict with this order are hereby repealed.

WARREN G. HARDING.

THE WHITE HOUSE,
December 30, 1921.

[No. 3603.]

UNITED STATES OF AMERICA.

RULES OF PRACTICE AND PROCEDURE

OF THE

UNITED STATES DISTRICT COURT

IN AND FOR THE CANAL ZONE.

UNITED STATES DISTRICT COURT IN AND FOR THE CANAL ZONE.

RULES OF COURT.⁶⁹

1.

SESSIONS OF COURT.

There shall be a session of the court held in the Balboa Division each month, beginning on the first Tuesday; and there shall likewise be held a session each month in the Cristobal Division, beginning on the third Monday.

Provided, however, the court may at any time, for good cause shown, suspend a term of court, or order a special term in either Division.

2.

TERMS OF COURT.

Fifteen days following the opening of a regular session in either division will constitute a term of court in and for such Division, but any cause pending in one Division may, by consent of parties, or upon order of the court, be heard in the other Division.

3.

COURT DOCKETS.

In addition to the dockets prescribed by law, for the purpose of expediting the business of the court, the Clerk, under the advice of the Judge, and the District Attorney, may cause to be prepared such additional dockets as, in their judgment, may be necessary for such purpose.

4.

MOTION DAYS AND DOCKETS.

There shall be established in the Balboa Division one day in each week for the hearing of motions, entering decrees, assigning causes for trial, confirming reports,

⁶⁹ See also pp. 76, 79, 85, 97, 119, 149, 150, 163, 196, 263, and footnotes thereunder.

taking default judgments, and generally any matter in the conduct and preparation of causes, other than trials, which day, unless otherwise ordered by the Court, shall be on Saturday, beginning at 9.15 a. m.

All motions, or other hearings, not consented to, must be made in writing, filed with the Clerk, and by him noted upon a book to be known as the "Motion Docket", before the close of the Clerk's office on Thursday preceding the Saturday on which such motion is to be heard; provided, any motion may be heard by consent at the conclusion of the regular Motion Docket, or by direction of the Judge, if it be urgent.

There shall be likewise established a similar motion day in the Cristobal Division to be held on the first and third Mondays in each month, and all motions must be placed on the Motion Docket, in like manner, not later than Friday preceding the Monday upon which it is to be heard.

5.

PLACING MOTION ON DOCKET IS NOTICE.

Any motion filed with the Clerk and by him placed upon the Motion Docket shall be notice to opposing counsel, and no further notice need be given, except in those instances where the Code of Civil Procedure requires notice to be otherwise served.

6.

HOW PLEADINGS AND MOTIONS MAY BE FILED.

A demurrer to any pleading may be filed with the Clerk, and when so filed shall be placed by the Clerk upon the Motion Docket for disposition at the motion day next succeeding.

An answer may be filed in the Clerk's Office, if filed within the time prescribed by the Code of Civil Procedure. If the time within which an answer, or any other pleading, must be filed shall have expired, it can be filed thereafter only by consent of the Court. Any pleading which the Court directs to be filed within a given time may be filed in the Clerk's Office, if filed within the time prescribed.

Any motion may be filed in the Clerk's Office, unless there be some order of Court or rule of procedure which prohibits the filing of such motion; and all pleadings or motions filed with the Clerk must be noted of record by him.

7.

JURY.

When in the trial of any cause, criminal or civil, either party shall desire a jury, request therefor must be made at the time when such cause is assigned for trial, and at the trial each side shall be entitled to six peremptory challenges.

8.

PLEADINGS IN CIVIL ACTIONS.

All complaints and pleadings in civil actions shall be signed by the attorney or party to the suit, or his duly authorized agent or representative, and shall be endorsed on the back thereof with the docket number, the name or names of the parties plaintiff and defendant, the nature of the action, the return date of the summons, and the name of the attorney of record.

There shall be filed with the original of all complaints and pleadings a copy thereof for the adverse party, which said copy shall be endorsed on the back in the same manner as the original.

9.

TIME FOR FILING BILL OF EXCEPTIONS.

All bills of exceptions must be prepared, settled and filed within the time now fixed by the Codes of Criminal and Civil Procedure; provided, however, that the Court for good cause shown, may extend such time for an additional time beyond the expiration of the term, as in his judgment may appear proper; provided further, that an additional extension of time beyond that granted by the Court, may be allowed by agreement of all parties in interest.

10.

MOTION FOR NEW TRIAL.

The application for a new trial shall be made to the Court during the term in which the verdict or finding of the Court is rendered. Such motion shall be in writing and must set out specifically the grounds upon which such application is made, except that the party aggrieved may, at the time such verdict or finding of the Court is rendered, make oral announcement in open court of his intention to file a motion for a new trial, and the Court may, in its discretion, grant such reasonable time, upon a proper showing, within which such motion shall be reduced to writing and presented to the Court, and thereupon such motion shall be filed *nunc pro tunc* as of the date of the oral announcement.

All motions for new trial should be made after the verdict or finding of the issues by the Court, and must be made before final judgment has been rendered therein.

And, if any question be raised in the motion for new trial as to the admissibility of evidence, the question, ruling, and exception must be fully set out.

11.

BONDS TO BE RECORDED.

All fiduciary bonds, attachment bonds, bonds required to be executed in all matters of receivership, injunction proceedings, any and all other bonds required by the Code of Civil Procedure, except bonds for cost, bonds for arrest, or appeal from inferior courts, shall be copied in full and properly indexed by the Clerk in a book kept for that purpose, and such copy, duly authenticated by him, shall have the force and effect of the original, and the cost of recording shall be taxed as part of the cost in any court proceeding, action, or settlement.

12.

ATTORNEYS ON BONDS.

Attorneys will not be accepted as sureties upon bonds or recognizance required to be filed in court.

13.

BONDS AND COSTS.

The Court may at any time before trial require a nonresident plaintiff to file an undertaking for costs. The defendant may at any time move for security for costs, and when the motion is made the nonresidence must be shown by affidavit, unless it is admitted, or it appears upon the papers or from the record.

14.

BONDS.

In all proceedings in court in which a bond is required to be given the Clerk of the Court may accept a cash deposit in the sum of the bond, or a personal bond, with approved security, may be given. Where a cash bond is given the money deposited with the Clerk can be withdrawn only upon application to and order from the Court.

Either the principal in a personal bond, or one of the sureties, if there be more than one, shall be a resident of the Canal Zone.

15.

MOTION TO VACATE OR SET ASIDE JUDGMENT.

All motions to vacate or set aside judgments must be in writing and signed by the party applying therefor, or his attorney of record, and must be made during the term at which the judgment is rendered.

Such motions shall not operate as a stay of execution, unless the Court for good cause shown shall so order, or the party applying therefor shall execute a *supersedas* with good and sufficient security to be approved by the Court.

16.

EXCEPTIONS DURING TRIAL.

If either party desires to save exceptions to the admissibility of testimony, such objection, with the reason therefor, if required, must be made before answer is made by the witness, and exception thereto be made at the time. A failure to do this will deprive the party so failing to urge the admissibility of such evidence as a ground for a new trial.

17.

FILING INFORMATION.

All information shall be filed by the District Attorney not later than Saturday prior to the regular term of the criminal session of court, in all felony charges, where it can be done; provided, however, such information may be filed before trial during a regular session of the criminal term, or at a special hearing by order of the Court.

18.

TIME FOR MAKING DEFENSE.

In all actions where personal service has been had, the person served shall make defense in court within 10 days from the service of the summons; and where service by publication is had, within 40 days from the last publication of service.

19.

TIME WITHIN WHICH COURT ORDERS MUST BE PREPARED.

When a written order is taken in court, and the attorney for either side is directed to prepare the order so taken, it shall be prepared and presented to the Clerk not later than 5 days thereafter, having been first presented to the Judge of the court for approval.

20.

ARGUMENT OF MOTIONS.

No argument of any motion shall be extended beyond 30 minutes to the side without permission of the Court.

21.

STENOGRAPHIC NOTES.

Whenever, in the discretion of the Court, the importance of the case demands, the Judge may cause the testimony in the case, or such part of the testimony as he may deem proper, to be taken down in shorthand by the official court reporter connected with the court and qualified to do such work, and the testimony so taken shall not be transcribed unless so directed by the Judge. Provided: Upon approval of the Court, any lawyer practicing before the court may have his own stenographer in attendance for the purpose of reporting a case for his own personal use.

The original stenographic notes, taken by the court reporter, shall be made a part of the proceedings in the cause; and, unless such notes are filed pursuant to an order of the Judge, directing the stenographer to file forthwith with the Clerk, or within a specified time, the original stenographic notes, the same must be carefully preserved by the court reporter for at least 12 months after the final judgment of the court is rendered.

Whenever the official court reporter takes down the testimony in a case, the party making application for such work, except it be the Government, shall reimburse to the Government of the Canal Zone the actual time of the court reporter while thus engaged, no fractional part of a day less than a half day to be calculated; unless for good and sufficient cause shown the Court shall waive this charge.

The court reporter must furnish, upon request, with all reasonable diligence, to the defendant in a criminal cause, or a party or his attorney in a civil cause, a

transcript written out at length from his stenographic notes of the testimony and proceedings, or a part thereof, upon payment by the person requiring the same of the fees allowed the court reporter and prescribed by the Judge.

22.

SUMMONS.

The summons issuing from the court should read as follows:

UNITED STATES OF AMERICA,
CANAL ZONE
IN THE UNITED STATES DISTRICT COURT OF THE CANAL ZONE

DIVISION OF.....

To _____

v.

Plaintiff.

Defendant.

No. _____ Civil

SUMMONS.

To _____

Your are hereby notified to enter your appearance in the office of the Clerk of the above-mentioned Court, in writing, and make answer hereto, within ten (10) days after the service of this summons and copy of the complaint which is hereto attached, if service be had within the Canal Zone.

And, if served outside of the Canal Zone, you are notified to enter your appearance forty (40) days after service, and make answer thereto.

Upon failure to appear within the time aforesaid, the plaintiff will take judgment against you by default, and demand from the said Court the relief applied for in the complaint.

WITNESS the honorable.....
United States District Judge for the
Canal Zone, this day of, 19....

Clerk.

23.

PREPARING COURT ORDERS.

All orders, minutes of proceedings, or actions taken in court, and required to be made matters of record, must be prepared and ready for the signature of the Judge of the court not later than one week from the date when made.

ADMIRALTY CASES.

24.

GENERAL.

The rules promulgated by the Supreme Court of the United States as of date of March 7, 1921, governing proceedings in admiralty, shall apply and be in force in all admiralty proceedings in this court.

25.

VERIFICATION.

Pleadings in rem or in personam, claims and answers to interrogatories, except on behalf of the United States, shall be verified by the oath or affirmation of the party, or in his absence, by his agent, attorney in fact, or proctor. If such verification be made by the agent, attorney in fact, or proctor, it shall state the source of his knowledge or information; declare that the document verified is true to the best of his knowledge, information, and belief, and the reason why the verification is not made by the party.

26.

AMENDMENTS.

Amendments, or supplementary matters, must be connected with the libel or other pleadings by appropriate reference, without recapitulation or restatement of the pleading amended or added to.

27.

SECURITY FOR COSTS.

No libel, petition, or answer shall be filed, except on the part of the United States, and in suits for seamen's wages, and suits in forma pauperis, unless the party offering the same shall first file a bond or stipulation for costs, with two or more sufficient sureties, one of whom shall reside or maintain a place of business within the Canal Zone, conditioned that the principal shall pay all costs awarded against him by this court, and, in case of appeal, by the appellate court.

In suits in personam, such bond or stipulation shall be in the sum of \$100; in suits in rem, or where process of foreign attachment is to be issued, the bond or stipulation shall be in the sum of \$250.

Salvers coming into port in possession of the property libeled, petitioners for money in the Registry of the Court, and The Panama Canal, shall not be required to give such security.

28.

BONDS AND STIPULATIONS.

Unless otherwise ordered and approved by the Court, all bonds and stipulations for costs, for the discharge of property arrested, for stay of execution of any process in rem, or in any other case wherein a bond or stipulation is required of the party appearing in the suit, under the statute or the admiralty or equity rules of the court, shall be executed and delivered by the party with two or more sufficient sureties, one of whom shall be a resident or maintain an office and place of business within the Canal Zone, conditioned to answer the final decree of the Court, whether such decree shall be rendered in the original or the appellate court.

In lieu of sureties, the party may file his stipulation conditioned as above set forth, accompanied by the deposit of cash, or the manager's check of a solvent bank, or United States bonds in the amount or sum required, the same to be delivered to the Marshal, or deposited in the Registry of the Court, as the exigency of the case may demand, and such cash, manager's check, or United States bonds shall be subject to all money demands of parties to the suit, as may be determined by the final decree of the court; Provided, the bond of any responsible surety company in the United States, and acceptable to the Court, may be taken in lieu of the security and surety above mentioned, on the condition that the bond so given and taken shall waive all questions as to the jurisdiction of the court to enter judgment in any proceedings wherein said bond shall have been given.

29.

RETURN DAY OF PROCESS.

Original process on libels and information shall be made returnable on the first Monday of each month at a stated or special term; provided, that 20 running days

have elapsed since the last publication of a monition or the service of process; and in cases where such delay of 20 days shall not have expired on the first Monday of the month, said process shall be returnable on the third Monday of the same month.

Upon process in rem, the return shall state the day of seizure or of sale, as the case may be.

30.

RELEASE OF PROPERTY ON BOND.

The Marshal shall stay execution of any warrant of arrest or other process in rem, or discharge the property arrested, upon receiving from the claimant a bond or stipulation for double the amount claimed by libellant, with sufficient surety, approved by the Judge, or, in his absence, by the Marshal, conditioned to answer the decree of the Court in the cause, as provided in Section 941 of the United States Revised Statutes, as amended by the Act of Congress approved March 3, 1890 (30 Statutes, 1354). The bond so taken shall run in favor of the Marshal for the benefit of all parties in interest, and shall be immediately delivered by the Marshal to the Clerk of the court, who shall file the same in the record.

But the parties to the suit may, by written agreement filed in the cause, consent that the stipulation shall be reduced to such an amount as they may deem sufficient to secure the claim of the libellant and intervenors and costs, without in any manner impairing its validity.

In salvage cases the amount of the release bond shall be fixed by the Court or by agreement between the proctors for the libellant and claimant.

31.

AMOUNT TO BE STATED.

In all suits, except for salvage, the amount claimed by the libellant or intervenors must be specifically stated in their pleadings.

32.

CLERK TO ISSUE PROCESS.

The Clerk or Assistant Clerk of the court is authorized to issue all admiralty and other process without any special order, except in cases where the statute or the admiralty or equity rules require an order of the Court, or of the Judge, to authorize process. He may also issue all writs of *dedimus potestatem* and commissions to take depositions of absent witnesses, as authorized by the Act of Congress approved March 9, 1892, but shall issue letters rogatory only when ordered by the Court.

33.

MESNE PROCESS.

Mesne process may be either in personam or in rem or both. Process in personam may be:

(1) A simple citation in the nature of a summons to appear and answer to the suit.
(2) Such a citation, with a clause therein that if the respondent can not be found, his goods and chattels to the amount sued for be attached.

(3) Such a citation and attachment, together with a clause of foreign attachment of the respondent's property and credits to the amount sued for in the hands of garnishees named therein.

The names of the garnishees and the specific property in their hands, if known, shall be stated in the libel or petition and in the process, and the garnishees shall be cited to appear and answer on oath.

(4) A warrant of arrest of the person shall issue only upon the special order of the Court alone, or with an attachment.

In suits in personam, except on a libel for liquidated damages not exceeding \$500, no process of attachment or foreign attachment shall issue, unless allowed by special order of the Court, upon due proof of the demand and of the propriety of the attachment being first made.

Process in rem shall be:

(1) By a warrant to arrest the ship, goods, or other things to be arrested, with a monition to all persons interested therein, and shall be issued as, of course, by the Clerk of the court upon the filing of the libel and security for costs.

34.

DIVISION OF DOCKET FEE AND COSTS.

In cases for salvage, when several parties are entitled to participate therein, the docket fee and costs taxable by statute in favor of the prevailing party shall be divided equally among the proctors of the respective parties who share in the salvage.

35.

LIBELS—WHEN TO STAND AS INTERVENTIONS.

When property is already under seizure by process of this court, all libels filed against the same property shall stand and be considered as interventions in the original case, and but one proctor's fee shall be allowed, which shall go to the proctor in the original cause. The Clerk shall be authorized to make all orders permitting interventions to be filed in all proceedings in rem.

36.

PAYMENT INTO COURT.

In all actions for sums certain, the claimant or respondent may pay into court the amount claimed in the libel, with accrued interest and costs, and may thereupon have an order entered, instanter, for the restoration of his property.

37.

STIPULATIONS ON INTERVENING LIBELS.

Any third person who shall intervene in any cause of admiralty, and maritime jurisdiction in rem shall be required to give a stipulation, with surety in the sum of \$25, to abide by the final decree rendered in the cause, and pay all such costs, expenses and damages as shall be awarded by the Court upon final decree, whether it is rendered in the original or appellate court, and such intervenor shall also deposit the sum of \$10 with the Clerk to secure his costs.

38.

DEPOSITS FOR COSTS.

Neither the Clerk nor the Marshal shall be required to issue or serve any process, or to perform any service for parties, until their costs and the necessary expenses incident to the service shall be paid or secured to their satisfaction, except in cases of seamen's wages and suits in forma pauperis.

39.

PUBLICATION OF PROCESS.

Upon any seizure in suits in rem, or upon any information in rem or in personam wherein publication is required by law, such notice shall be published once unless the Court by special order, directs other or further publication. Publication hereunder, unless otherwise ordered shall be at least one week before the date on which the process is made returnable. The published notice need contain only the title of the suit, the nature of the cause of action, the amount demanded, the time and place of the return of monition and the names of the Marshal and proctor, and shall direct all persons interested to appear or that default and condemnation will be ordered.

40.

PUBLICATION NOTICE OF SALE.

Public notice of the sale of property after condemnation in suits in rem, shall be made by publication in a newspaper of general circulation within the Canal Zone, for at least six successive days, unless otherwise ordered in the decree, the last publication thereof to be at least 15 days before the date of said sale, as provided in U. S. Revised Statutes, section 939 (U. S. Comp. Statl., 1918, Sec. 1565).

41.

TESTIMONY TO BE TAKEN BEFORE A COMMISSIONER.

In all cases of admiralty and maritime jurisdiction the evidence of witnesses present at the place where the court is held shall be taken orally before a Commissioner, upon at least one day's notice to the opposite party; provided, that either side may set the case for trial in open court on the question of liability; in which event all witnesses within the jurisdiction will be heard orally. The stenographer employed shall be entitled to receive 25 cents per hundred words as compensation for his services, and shall furnish one copy of the evidence to the proctor for the opposite party, without charge, when requested.

42.

EVIDENCE BY WRITTEN INTERROGATORIES.

Evidence taken under *dedimus potestatem*, or under commission as provided in the Act of Congress, approved March 9, 1892, shall be by written interrogatories propounded to the witness, filed in the Clerk's office, and a certified copy of the same shall be served on the opposite party, together with a notice by the Clerk that he is required to file cross-interrogatories, if any he has, within five days from a date to be specified in such notice.

In case the opposite party is absent from the Canal Zone and not represented by an attorney, service on the interrogatories and notice to cross may be made by posting the same at the court house for the period of five days.

At the expiration of the time so allowed the Clerk, or Assistant Clerk, shall issue the proper writ or commission.

43.

TIME FOR TAKING EVIDENCE.

After issue joined, the libellant shall have 60 days in which to take his evidence, and thereafter the claimant or respondent shall have the like time to take his evidence, and no more, unless for cause shown the Court shall enlarge or restrict the time, and provided the case is not heard in open court.

44.

NOTICE TO SET CAUSE FOR TRIAL.

After the expiration of the time for taking evidence has expired, either party may set the cause down for trial on motion upon five days' notice, served on the adverse party or his proctor; but, in case the adverse party be absent and not represented, the notice may be served by posting the cause for trial at the court house for the period of five days.

45.

CERTIFICATE OF COUNSEL, AND AFFIDAVIT TO EXCEPTIONS, ETC.

Every exception or plea to a libel or intervening libel shall be accompanied by a certificate of counsel that, in his opinion, it is well founded in law, and be supported by affidavit of the party or his proctor that it is not interposed for delay, and that the facts stated therein are true to the best of his knowledge, information and belief.

46.

INTERVENING LIBELS.

No intervening libel setting up a claim either or in addition to the amount claimed in the original libel, whereby the liability of the surety on the release bond would be increased, shall be allowed in any case after the property seized has been released.

47.

TRIAL ON LIBEL AND ANSWER.

The libellant shall have the right, upon the coming in of the answer, to set the cause down for trial on the libel and answer in all cases where the facts are substan-

ially admitted, and nothing remains but question of law for decision. In such cases, the averments of the answer, well pleaded, except averments of law, shall, for the purpose of the trial, be taken as true.

48.

INTERVENTIONS IN REM.

Interventions filed in proceedings in rem shall be considered as denied, and need not be answered, but parties whose interests are involved may, at their option, plead, answer or demur thereto.

49.

THIRD PARTY PRACTICE.

If a defendant shall, by petition on oath, filed before answer, or within such further time as the Court may allow, allege fault in any other party, in respect of the matters complained of in the libel, or shall allege that he is entitled to contribution or indemnity from any other party in respect of such matters, and shall pray that such other party be brought into the suit as a party defendant in analogy with the provisions of Admiralty Rule 57 of the Supreme Court of the United States, process on such petition may be issued and the cause shall proceed otherwise as in cases under the 57th Rule.

50.

NOTE OF EVIDENCE. TESTIMONY TO BE BOUND, ETC.

Before the final hearing each party shall file with the Clerk a written list of the testimony and proofs on which he wishes to be heard, with all such testimony and proofs, and no testimony and proofs not so listed and filed shall be considered by the Court or be included in the record on appeal. The testimony shall be bound, consecutively paged, and indexed. No case shall be set down for argument or final hearing until this Rule has been complied with.

51.

OBJECTIONS TO EVIDENCE.

No objection to the admissibility of evidence taken under Rule 41 shall be considered unless noted at the time the evidence is taken, nor shall any objections to interrogatories propounded to witnesses examined under commission be considered unless made by the opposite party at the time cross-interrogatories are filed or before the commission issued; and parties making objection or objections to the manner and form in which a commission has been executed shall do so by motion to suppress.

52.

CONFIRMATION OF COMMISSIONERS' REPORTS.

Exceptions to Commissioners' Reports shall be filed within twenty days after the date of the filing of the Report. Should no exceptions or opposition be filed within said delay, the report may be confirmed on motion of counsel.

53.

MATTERS NOT SPECIFICALLY PROVIDED FOR.

In any matter not provided for in the general admiralty rules of the Supreme Court of the United States or in these rules, the rules of practice in admiralty in the United States District Courts of the Southern District of New York shall be made applicable and apply in this court.

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